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TREATIES FOR THE ADVANCEMENT OF PEACE

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TREATIES FOR THE ADVANCEMENT OF PEACE

BETWEEN THE UNITED STATES AND OTHER POWERS NEGOTIATED BY THE HONORABLE WILLIAM J. BRYAN, SECRETARY OF STATE OF THE UNITED STATES

WITH AN INTRODUCTION

BY

JAMES BROWN SCOTT

Director of the Division of International Law of the Carnegie Endowment for International Peace

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PREFATORY NOTE

This publication comprises all the treaties for the advancement of peace which were negotiated by Mr. Bryan while he was Secretary of State of the United States. It is divided into two sections. Part I contains the perfected treaties, Part II the unperfected treaties. All of the original texts, English and foreign, are included in this print, with the exception of the Chinese and Greek treaties, for which there is only an English text. A table showing the present status of the treaties is added for the convenience of the reader, and, as evidence of the elasticity of Mr. Bryan's peace plan, an appendix contains the original text and an English translation of a similar tripartite treaty which has been negotiated by Argentine, Brazil and Chile.

JAMES BROWN SCOTT,
Director of the Division of International Law.

WASHINGTON, D. C.,
July 9, 1918.

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INTRODUCTION

Wars may arise from a variety of causes which well-nigh baffle and of pretexts which actually defy classification. No difference is too trifling for war if the nations in controversy wish war; none is too great for peace if the nations concerned desire peace. As a great statesman and wise counselor of our day has aptly said: the dispute is nothing; the spirit in which we approach it is everything. But the spirit must needs be aided; the passion which obscures the issue must be appeased; the fire must not be fanned into flame; the conflagration, if it can not for the moment be extinguished, must be confined. All this takes time, and if time is lacking, peace is doomed. Therefore, when direct negotiations of the parties have failed, the interposition of some new means, such as the good offices or mediation of third parties, tends to prolong discussion and to avert the break; the reference of the dispute to the award of arbiters not only prevents the break, but leads to adjustment; the submission of the controversy to a court of justice, if one there be, decides the difference according to principles of law and enables the litigants to go their several ways without resorting to arms and disturbing the peace of the community of nations. But time must be given, the means must be at hand; the agencies can not be created in the storm and stress of controversy; the door must be wide open, whether it lead to the chancellery of a third Power, as in the case of good offices or mediation; to the chamber of compromise, as in the case of arbitration, or to the court room, in the case of a justiciable dispute.

In controversies between nations, a refusal to accept good offices or mediation at the hands of third parties, a rejection of a proposal to arbitrate, an unwillingness to employ judicial means in an appropriate case, indicate a readiness to proceed to extremes, and coupled with the demand on either side of a settlement within a short period, such as forty-eight hours, for example, can only be looked upon as a declaration of war to become effective at the expiration of the time limit. Therefore, any existing agency which prevents the final break is to be commended; any new agency which procures time for the parties and brings an enlightened public opinion from without to bear upon the issue is to be welcomed.

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In addition to direct negotiation between nations in dispute, the First Hague Peace Conference of 1899 recognized good offices and mediation, commissions of inquiry and arbitration as methods of settling international differences which direct negotiations between the contending parties, technically called diplomacy, had failed to adjust. The Second Conference of 1907 added to these agencies judicial settlement, without, however, hitting upon an acceptable method of appointing the judges, and thus constituting the proposed court in which the causes between nations were to be decided by due process of law, as are ordinary suits between man and man.

Mr. Bryan's treaties for the advancement of peace, of which thirty were negotiated and signed by him as Secretary of State, twenty-nine advised and consented to by the Senate, and twenty actually proclaimed by the President, aim to supplement, not to supplant existing agencies by bringing to discussion any and all outstanding differences, not adjusted by these or other agencies, in the belief that the immediate and therefore the ultimate danger of war would be averted through an agreement of the parties to refrain from hostilities pending investigation, for which a twelvemonth is allowed, by a careful discussion before a permanent commission of five members, in which each of the contending countries is represented by a citizen or subject of its own choice, created in advance of the dispute or existing at its outbreak. Such treaties would facilitate settlement by ascertaining the facts and suggesting the principle of solution, even although the report of the commission should not bind the parties or decide the controversy.

* * *

Let us briefly consider these different phases of peaceable settlement in order to see the nature and scope of the Bryan plan and its place in the peace movement.

First, of good offices and mediation.

By the Pacific Settlement Convention of 1899, drafted by the Hague Peace Conference of that year, composed of official representatives of twenty-six nations, and recommended for adoption to those and all other civilized nations forming the society of nations, increased to forty-four in 1907, the nations agreed "to use their best efforts to insure the pacific settlement of international differences" in order to obviate "as far as possible recourse to force in the relations between States."

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To render this agreement effective they further agreed, "in case of serious disagreement or conflict, before an appeal to arms . . ., to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers." Here is a clean cut, definite agreement weakened if not rendered nugatory by the clause "as far as circumstances allow," by virtue of which one or other of the Powers decides for itself whether the circumstances of the particular case allow a recourse to good offices or mediation.

This is a right which the States always possessed, but the Russian Government was able to assert in justification of the provision that in the forty years succeeding the Congress of Paris "there *has not been a single case* where the States in controversy have *addressed* a request for mediation to neutral States."[1] Therefore, the express approval of it in this Convention was of vast importance, as the approval of the principle by all the States, as distinct from a progressive few, even although no State was bound unless it wanted to be.

But the Convention does not stop here; it goes further and takes a step in advance by recommending "that one or more Powers, strangers to the dispute, should, on their own initiative, and as far as circumstances may allow, offer their good offices or mediation to the States at variance"; that "Powers, strangers to the dispute, have the right to offer good offices or mediation, even during the course of hostilities." It further specifically provides that "the exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act."

To the captious critic this seems a small matter, as States possessed this right before and exercised it at their pleasure and in their discretion. True, but the clauses in question constitute an approval of such action, on their part, which they were admittedly free to take and a recommendation that it be done "as far as circumstances may allow," that is to say, if the offer would not in their opinion be hopeless, or, in other words, if the offer is one which they would be prepared to consider if made to them instead of by them.

Again the Convention recommends that the offer be made "even during the course of hostilities," and wisely, as nations are often as embarrassed to stop hostilities as they were anxious to begin them, and

[1] Proceedings of the First Hague Peace Conference, part 1, p. 123; Scott, *Reports to the Hague Conferences of 1899 and 1907* (1917), p. 96.

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inclined to welcome a proposal which a belligerent would not care to make lest its motives be questioned and it be accused of weakness or inability to carry on the war.

But admitting that nothing new is created by these provisions which represent the practice of nations when minded to give a word of advice or lend a helping hand, the next succeeding provision at least removes an objection, if it does not add a right, inasmuch as it provides that the offer is not to be regarded by one or other of the parties in conflict "as an unfriendly act."

With these observations by way of introduction the Convention thus states the function and purpose, the nature and effect of good offices and mediation, which were apparently regarded as synonymous by its framers:

> The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance (Article 4).
>
> The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute, or by the mediator himself, that the means of reconciliation proposed by him are not accepted (Article 5).
>
> Good offices and mediation, either at the request of the parties at variance, or on the initiative of Powers strangers to the dispute, have exclusively the character of advice and never have binding force (Article 6).
>
> The acceptance of mediation can not, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.
>
> If mediation occurs after the commencement of hostilities it causes no interruption to the military operations in progress, unless there be an agreement to the contrary (Article 7).

The meaning of this is clear: the good office of a friend or of a mediator is not to interfere with measures which a nation has a right to take according to its sovereign pleasure, but to suggest that the conflict be adjusted peaceably, if war has not begun, and, if hostilities are in progress, that they be ended according to a method which the mediator either discloses or is willing to disclose upon request. Accurate writers limit good offices to advice and extend mediation to cooperation in the adjustment which good offices have advised. But whether this distinction be sound or observed in practice, the method is diplomatic, in that it is negotiation by third parties instead of negotiation between the parties in conflict; it is unlimited in that the differ-

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ence may concern a question of fact, of law, or of policy, and the pacificators may with the assent of the nations at odds accomplish whatever the parties might themselves have done if they had remained on speaking terms, if they had not resorted to fisticuffs or, as we may more elegantly say, to war.

If a distinction between good offices and mediation is to be observed, President Roosevelt's action in bringing Russia and Japan together at Portsmouth, whereby the treaty of Portsmouth, of September 5, 1905, was negotiated by their representatives, and the war ended, is to be considered good offices, not mediation. The following official telegrams under date of June 8, 1905, addressed to the American Ambassador at St. Petersburg and the American Minister to Tokio finely state Mr. Roosevelt's humanitarian purpose and the means by which it was effected:

> The President feels that the time has come when, in the interest of all mankind, he must endeavor to see if it is not possible to bring to an end the terrible and lamentable conflict now being waged. With both Russia and Japan the United States has inherited ties of friendship and good will. It hopes for the prosperity and welfare of each, and it feels that the progress of the world is set back by the war between these two great nations. The President accordingly urges the Russian and Japanese Governments, not only for their own sakes, but in the interest of the whole civilized world, to open direct negotiations for peace with one another. The President suggests that these peace negotiations be conducted directly and exclusively between the belligerents—in other words, that there may be a meeting of Russian and Japanese plenipotentiaries or delegates without any intermediary, in order to see if it is not possible for these representatives of the two powers to agree to terms of peace. The President earnestly asks that the Japanese Government do now agree to such meeting, and is asking the Russian Government likewise to agree. While the President does not feel that any intermediary should be called in in respect to the peace negotiations themselves, he is entirely willing to do what he properly can if the two powers concerned feel that his services will be of aid in arranging the preliminaries as to the time and place of meeting; but if even these preliminaries can be arranged directly between the two powers, or in any other way, the President will be glad, as his sole purpose is to bring about a meeting which the whole civilized world will pray may result in peace.[1]

[1] *Foreign Relations of the United States*, 1905, p. 808; see also, Moore, *Digest of International Law*, vol. 7, p. 21.

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In any event the mediator advises, and his decision, if he proposes one, is advisory and without binding effect until by acceptance of the parties it becomes their decision and adjusts the controversy. The action of Leo XIII in proposing terms for the adjustment of the Caroline controversy in 1885, between Germany and Spain was that of a mediator not arbitrator. When, however, the terms were accepted by both of the disputants, the erstwhile suggestion had the force of an arbitral award, and the action of the Pope is to be considered as an act of mediation of which it is a typical and illuminating example.

In 1884 an admiral of the Imperial German Navy hoisted the German flag at Yap, in the Caroline Islands, over which Spain claimed sovereignty. This the Imperial Government denied, and sought to acquire title in its own behalf by possession followed by effective occupation. This action on the part of Germany led to outbreaks in Madrid, in which the Imperial German Embassy and Consulate were attacked. In this state of affairs Prince Bismarck proposed, and Spain accepted the mediation of Pope Leo XIII. His Holiness thereupon suggested in their behalf the negotiation of a convention by which Germany acknowledged the sovereignty of Spain over the Caroline and Pellew Islands. In consideration of this action on the part of Germany Spain was to engage itself to establish, as quickly as possible, "a regular administration with sufficient force to guarantee order and the rights acquired" in the archipelago, to offer to Germany complete "liberty of commerce and navigation," the right to fish and to establish a naval station and coal depot at or in the islands, and finally to guarantee "the liberty of making plantations" in the islands, and of "founding agricultural establishments on the same footing as Spanish subjects."[1]

The parties in dispute did this, and so hostilities were happily averted through the mediation of the Holy Father.

The distinction between mediation on the one hand and arbitration on the other exists in nature, not merely in name, and is thus clearly and authoritatively stated in the *Digest of Justinian:*

> A man is held to have undertaken an arbitration, so Pedius says (b. 9), when he has assumed the duties of judge and promises to give a decision which shall finally dispose of the matters in dis-

[1] Moore, *History and Digest of the International Arbitrations to which the United States has been a party*, vol. 5, pp. 5043–4. See also, Moore, *Digest of International Law*, vol. 7, p. 6.

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> pute. But where, the same writer proceeds, the supposed arbitrator only intervenes so far as to try whether the parties will allow their dispute to be disposed of by his advice and authority, he cannot be held to have undertaken an arbitration.[1]

The same distinction, deeply embedded in private law, exists also in public law, and in that portion of it termed the law of nations, as was aptly pointed out by Sir James Mackintosh, who is reported to have said in the course of debate in Parliament on April 11, 1815: "A mediator is a common friend, who counsels both parties with a weight proportioned to their belief in his integrity, and their respect for his power. But he is not an arbitrator, to whose decision they submit their differences, and whose award is binding on them."[2]

The first step to internationalize good offices and mediation, giving to them the standing and dignity of an international institution, was taken in connection with the Congress of Paris which put an end to the Crimean war. The belligerents with the addition of Austria and Prussia, adopted, upon the initiative of the British plenipotentiary, Lord Clarendon, himself influenced indirectly by William Jay, and directly by English peace men, "the *vœu* that States, between which any serious misunderstanding may arise, should, before appealing to arms, have recourse, as far as circumstances might allow, to the good offices of a friendly Power."[3] The plenipotentiaries were either so sure of the usefulness or harmlessness of their *vœu*, as to express the hope "that the Governments not represented at the Congress will unite in the sentiment which has inspired the *vœu* recorded in the present protocol."[4]

In Article 8 of the Treaty of Paris the same plenipotentiaries stipulated on behalf of their respective countries that "if there should arise between the sublime Porte and one or more of the signatory Powers a difference threatening the maintenance of their relations, the sublime Porte or each of the Powers before having recourse to the employment of force, will put the other contracting Parties in a position to prevent this extremity through their mediation."[5]

And finally as showing the precedents for the action of the Hague

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[1] Dig. bk. IV, tit. 8, law 13, § 2 [Monro's translation].
[2] Hansard's *Parliamentary Debates*, vol. 30, p. 525. See also, Moore, *Digest of International Law*, vol. 7, p. 3.
[3] *British and Foreign State Papers*, vol. 46, p. 135.
[4] *Ibid.*, p. 136.
[5] *Ibid.*, p. 12.

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Conference in the matter of good offices and mediation, which appear to be used indiscriminately in these various instances, Article 12 of the General Act of the Conference of Berlin in regard to the Kongo, signed February 26, 1885, may be quoted:

> In cases where serious disagreement with regard to, or within the limits of, the territories mentioned in Article 1 and placed under the *régime* of commercial liberty may arise between the signatory Powers of the present act or Powers which may adhere thereto in the future, these Powers agree before appealing to arms, to resort to the mediation of one or more friendly Powers.[1]

The friendly compositor frequently mentioned in the Middle Ages but much of a stranger in the modern world may be considered either as the mediator acting with consent and invested with the power of deciding the controversy submitted to him, or as an arbiter chosen by the parties in dispute and authorized by them to settle the difference definitively by the application of his sense of right and fairness. In such a case the settlement of the dispute is regarded as of more consequence than the method employed. It may include quarrels arising out of questions of fact, law or policy; the compositor may act as a diplomat, arbiter or judge. The admirable disposition of the difficult and trying controversy known as The Alsop Case between Chile and the United States, which was submitted to the friendly composition of Edward VII in 1909 and, upon his death, to his successor, George V, by whom it was decided in 1911, upon the advice of eminent counsel, shows that the friendly compositor may be at one and the same time the impartial judge, although in the decision of this very case the function of the friendly compositor is said to be to pronounce "an award which shall do substantial justice between the parties without attaching too great an importance to the technical points which may be raised on either side."[2] The Hague Conferences did not deal with friendly composition other than as it may be included in good offices, mediation or arbitration, and the subject is only mentioned in passing to call attention to this method, whose day is not yet run, in which the conscience of a particular individual is preferred to diplomacy, without reference to law, which is at least respected in arbitration and is the very life and soul of judicial decision.

[1] *British and Foreign State Papers*, vol. 76, p. 12.
[2] *American Journal of International Law*, vol. 5, p. 1081.

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Next as to arbitration.

The First Hague Peace Conference gave its outspoken and unequivocal approval to arbitration in general, expressed itself strongly in favor of arbitrating disputes of a legal nature, especially those involving the interpretation or application of international conventions, and the delegates of the Powers taking part in the Second as well as the First Conference expressly reserved for their countries the right of concluding "new agreements, general or special, with a view to extending obligatory arbitration to all cases which they may consider it possible to submit to it."

To facilitate immediate recourse to arbitration whose object they defined as "the settlement of differences between States, by judges of their own choice, and on the basis of respect for law," the signatory Powers undertook to organize a Permanent Court of Arbitration, open and accessible at all times, provided a method of constituting a temporary tribunal from the panel of the so-called Permanent Court, and furnished a code of procedure to be followed unless the parties in controversy should prefer to adopt other rules.

Here again it may be objected that there is little in this that the Powers had not done and could not do without these various provisions. And this is undoubtedly so. The Jay treaty of 1794 between Great Britain and the United States had brought arbitration again into the thought and practice of nations, with the result that in the course of the century intervening between the treaty and the conference some hundred international controversies, involving numerous cases in some instances, as wheels within wheels, had been submitted to temporary tribunals of arbitration or to mixed commissions. The procedure included in the Convention merely stated the practice and procedure of the nations which had grown up in the course of the century from the experience acquired in arbitration. The nations before as after, selected, by agreement, the members of the temporary tribunals or mixed commissions, whether the names of prospective arbiters were or were not included in a panel of arbiters and called in this way to their attention.

But the fact remains that what nations had done betimes and in pairs received the solemn and formal approval of twenty-six nations, whose delegates recognized arbitration "as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy

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had failed to settle." It thus went forth from the Conference internationalized, and with an added prestige and appeal.

There is, however, a difference between a recognition of arbitration and an agreement to resort to it. Unfortunately the opposition of the Imperial German delegates prevented the adoption of a general agreement both at the First Conference, in 1899, and at the Second, in 1907, by virtue of which twenty-six nations in the First and forty-four in the Second would otherwise have bound themselves to arbitrate such a controversy as the Serbian question of 1914, a failure to do which precipitated the war of that year, to which the United States reluctantly but inevitably became a party in 1917.

A special treaty or agreement has to be concluded to submit the question to arbitration at a time when neither of the disputants is in a frame of mind to reach an agreement upon the issue, and to constitute a temporary tribunal of five members chosen from the panel, of whom two by the Convention of 1899, one by the revised Convention of the Second Conference of 1907, could be citizens or subjects of each of the disputant States.

In the absence of a general treaty of general obligation the code of procedure is of slight value, and there is little incentive to arbitrate when the treaty has to be concluded, the issue defined, the court created and its members selected when the nations may barely be on speaking terms. Experience is against thatching the roof in time of storm. A general agreement to submit all or certain categories of disputes to arbitration, the right of each country to submit its case as it conceives it to be, to a tribunal in existence, to be decided by recognized principles of law and equity are prerequisites to arbitral adjustment, as otherwise the nation can by delay and lack of cooperation extricate itself from a resort to arbitration which twenty-six nations in 1899 and forty-four in 1907 solemnly recognized "as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy has failed to settle."

But the treaties of arbitration which have been concluded by virtue of the right reserved in the Convention, submit legal questions and disputes concerning the interpretation and application of treaties and conventions and almost invariably withdraw from the obligation questions of vital interest, independence, honor, and necessarily those affecting third parties.

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Without indulging in criticism of these provisions, which are rather to be commended in the infancy of modern practice, it is a fact that the most troublesome questions are thus withheld not only from arbitral award, but from disinterested discussion, inasmuch as each nation decides for itself whether or not a question falls within the reserved category, and it is also a fact that the absence of a permanent tribunal in being at the outbreak of the dispute, ready and willing to accept jurisdiction thereof and to decide it, offers, as it were, a premium to bad faith.

When the Second Conference adjourned on October 18, 1907, the United States only had a general arbitral clause in its treaty with Mexico of 1848, confirmed by that of 1853, and the Pecuniary Claims Convention with the Latin American Nations of 1906. This was not much of a showing for the nation which in conjunction with Great Britain had introduced arbitration to the modern world. But with the exception of Great Britain it had more arbitrations to its credit than any other nation, and had submitted nearly a third of all arbitrated cases. Taking the period from 1798, when the first mixed commission met under Jay's treaty, to 1904, it appears that there had been some 241 instances of international arbitration; that of these Great Britain had to its credit 98; the United States 76; that they had arbitrated 23 with one another, and that, taking them together, the sponsors of this form of peaceable settlement in the modern world had arbitrated more than two-thirds of all the cases of arbitration during the entire period.[1]

But these statistics, encouraging as they doubtless are, give but a very inadequate impression of the number of awards actually rendered, inasmuch as a single treaty or convention often submits to a mixed commission outstanding disputes of a certain kind or category arising out of a certain act or series of acts, taking place within a given period. Thus, under the special treaty of arbitration of 1868 between Mexico and the United States, no less than 2,015 cases were submitted.[2]

When apprised of this condition of affairs, Mr. Elihu Root, then Secretary of State, took the matter up and in the course of a twelve-month concluded no less than twenty-five treaties, showing how easily

[1] See Fried's *Handbuch der Friedensbewegung*, Vienna and Leipzig, 1905, pp. 104–5, 123–57.

[2] Moore, *History and Digest of the International Arbitrations*, etc., vol. 2, p. 1314.

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ability and conviction can accomplish what would seem impossible to less daring minds. Of these the first was very appropriately with "our first and ancient ally," and the material portion of this treaty with France is thus worded:

> Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

* * *

The great merit of Mr. Bryan's plan is that it creates a permanent Commission of five persons which is in existence at the outbreak of the dispute, whatever its nature, to which it can be and must be submitted and that the commission thus composed has a twelvemonth within which carefully to consider the controversy in all its aspects, during which the disputants pledge themselves not to resort to hostilities. In addition to the legal questions and questions involving treaties and conventions, which the nations may have agreed to submit to arbitration, the questions reserved from the obligation to arbitrate are by Mr. Bryan's treaties brought before commissions where they are investigated, and the report drawn up by the commission is presented to the foreign offices of the contending countries for such action as their wisdom may dictate and an enlightened public opinion persuade.

But before taking up Mr. Bryan's plan there is a further matter which requires consideration, for without it his treaties would seem to lack that firm and sure international foundation which assured their negotiation.

The First Hague Conference provided in the ninth article of its Pacific Settlement Convention, for the creation from time to time of an international commission of inquiry "to facilitate" a solution of "differences of an international nature involving neither honor nor vital interests, and arising from a difference of opinion on points of fact." As in arbitration, resort was to be made to the commission upon the breakdown of diplomacy. This was not, however, even in the case of facts, an unlimited obligation or recommendation because of the

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presence of the clause specifying only those which "circumstances allow"; but such differences as were actually submitted were to be subjected to "an impartial and conscientious investigation" in order "to facilitate" their solution "by elucidating" the facts.

At best the article is a recommendation, not an agreement, to submit facts in dispute; facts involving honor or vital interests are excluded, and those left are only recommended to be referred to "an impartial and conscientious investigation" if "circumstances allow."

This is not much, even the friendly critic might venture to say; but he would be wrong, for it is a precedent for a commission of inquiry and a first step to better and greater things.

The commission, like the temporary tribunal of arbitration, would have to be created for the special difference and "by special agreement between the parties in conflict." The agreement would likwise have to define the facts to be examined and the extent of the commission's powers, and settle the procedure to be followed in the impartial and conscientious investigation. The same method was to be employed to constitute one as the other. Each was to consist of five members to be chosen by direct agreement of the parties; failing which, each of the disputants was to appoint two arbiters or commissioners from the panel of the Permanent Court, who together were to choose an umpire. In case of a tie, the choice of umpire was to be made by a Third Power selected by the parties in common accord. Upon failure of the parties to agree upon the third Power, each of the disputants was to select a different Power, and the two Powers thus chosen were to appoint the umpire. Such was the procedure under the Convention of 1899, but it was faulty in more than one particular, and it might end in failure to constitute the court or the commission. Therefore, the Second Conference of 1907 revised and greatly improved it. Under the original convention the two arbiters or commissioners, to be appointed by each party, might be chosen from its citizens or subjects with the result that the body thus selected would be made up of four interested persons struggling, we may well suppose, to convert the umpire to their way of thinking, and thus to carry their point whatever it might be. The revised convention changed this unseemly procedure by providing that only one of the two persons chosen by each should be taken from its "nationals," to use a new and convenient word which has evidently come to stay, with the result that the majority of the court or commission is to be composed of strangers, supposedly

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indifferent in the cause, and the award in the one, and the finding in the other case thereafter depends upon them, not upon interested and therefore disqualified persons, as formerly. Under the original convention it might conceivably happen that the two Powers might not be able to agree upon the umpire. Therefore to prevent this contingency it is provided in the revised text that, upon their failure to agree within two months—diplomacy moves slowly and majestically—each of the Powers is to name two members of the Permanent Panel, not already chosen and not citizens or subjects of the august disputants, and the drawing of lots determines the umpire.

The commission thus selected is, we shall suppose, ready to begin its labors. Without going into details, it is sufficient to say that the Powers in conflict agree to supply it, to quote the text of 1899, "as fully as they may think possible with all means and facilities necessary to enable it to be completely acquainted with and to accurately understand the facts in question." When the commission has found the facts in controversy "by means of an impartial and conscientious investigation," it prepares its report to be signed by all of its members.

The question naturally arises as to the nature and force of the report to reach which the commission has been appointed, and which, it is to be presumed, will be a document of much importance to the parties and to the public. On this point the original convention, untouched in this respect by the revision of the Second Conference is to the effect that "the report of the international commission of inquiry is limited to a statement of facts, and has in no way the character of an arbitral award"; and "it leaves the conflicting Powers entire freedom as to the effects to be given to this statement." That is to say, the commission finds facts as a jury in Anglo-American procedure; it contents itself with the statement of the facts as found and thereupon goes out of existence, leaving the Powers free to take any or no action upon the facts. The Conference, however, felt that this seemingly meager result, would be of value to the parties; otherwise the convention could not have provided for the creation of an international agency of this kind.

It was indeed proposed and urged by the Russian delegation to the Second Conference to bind the parties to submit the facts thus found to an arbitral tribunal if they did not proceed to the settlement of the dispute, but this addition to the text and change in the effect to be

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given to the proceedings found little or no favor, although the only commission hitherto constituted under the convention was authorized to fix responsibility for the injury flowing from the facts as "elucidated" by means of the "impartial and conscientious investigation" in the North Sea or Dogger Bank case arising out of the Russo-Japanese War of 1903-5. If the "incident" had taken place upon the stage, the most inveterate theater-goer could hardly have suppressed a laugh. But what could be looked upon as comical between individuals was a serious matter between nations. British fishing smacks had been damaged, two British subjects killed and six wounded by the discharge of guns from the Russian fleet under Admiral Rodjestvensky in its ill-starred voyage from the Baltic Sea to the Straits of Japan. Upon its arrival in these waters it was destroyed by Japanese battleships under the command of Admiral Togo, who, it may be said in passing, began life in the small sailing vessels and row-boats which in his youth formed the Navy of Japan, just as Marshal Oyama, the victor of Mukden, began his military career in the Japanese forces then armed with bows and arrows. But to return to Rodjestvensky, whose fleet on the night of October 8–9, 1904, opened fire off Dogger Bank, upon some vessels which were mistaken, it would seem, for Japanese torpedo boats lurking in the distance and threatening the Russian fleet by its presence. After firing at the hostile craft and scattering the insidious enemy, the Admiral, having discharged his duty in the premises, continued his way, which was the way of destruction, until the seriousness of the situation caused him to interrupt his voyage, as the British Government had in the meantime protested to Russia, and interposed a British squadron between the Russian fleet and its progress towards Japan. Due, it would seem, to the good offices, mediation or friendly intervention of France, the expedient of the commission of inquiry, devised in 1899, was tried for the first time and amply justified its institution and the statesmen who stood sponsor for it in the Peace Conference. Great Britain and Russia invested the Commission, as already stated, with the power, not only of finding the facts, but of fixing the blame for their commission, thus taking one instead of two bites of the cherry. It was natural that this should be done on this occasion inasmuch as the presence or absence, found as a fact, of Japanese vessels on the night of the tragedy necessarily justified or condemned the action of the Russian Admiral. We must not overlook the consequences of the incident in our amusement

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at the facts, and the vast importance of the case as a precedent, because, given the world as it is, it is difficult to maintain that the honor or vital interest of one or the other of the nations was not involved, if these terms are to be understood as defined by the practice of nations. Yet the presence or absence of a Japanese ship was so essentially a mere matter of fact, that the questions of honor and of vital interests could be waived and the fact found, which also settled both the question of responsibility, without requiring a special finding on that head, and the liability for damages, which however would need to be assessed in accordance with the proofs.

Because the commission was a success and because it shows of itself the practicability and the possibility of this method of peaceful settlement, for which Mr. Bryan stands sponsor on a large and permanent scale, the procedure had in the adjustment is given in some little detail.

On November 29, 1904, or the 12th of the month if the Russian calendar be used, representatives of Great Britain and Russia agreed upon and signed a declaration to submit the North Sea Incident, as it is officially called, to an international commission of inquiry, composed of five members, two officers of high rank in the British and Russian Navies, two officers of high rank in the French and American Navies, and a fifth member chosen by the four officers in question or, in default of their agreement, by the Emperor of Austria, who happens also to be the King of Hungary. The five members of the Commission thus selected were to be assisted by a legal assessor, appointed by each of the high contracting Parties, and an agent, likewise chosen by each, "officially empowered to take part in the labors of the commission."

The commission thus constituted was directed to "inquire into and report on all the circumstances relative to the North Sea Incident, and particularly on the question as to where the responsibility lies and the degree of blame attaching to the subjects of the two high contracting Parties or the subjects of other countries in the event of their responsibility being established by the inquiry."

The commission, to meet at Paris, was to adopt its procedure, and be furnished, "to the greatest possible extent," by the two Governments "with all the means and facilities necessary, to enable it to acquaint itself thoroughly with and appreciate correctly the matters in dispute." The report adopted by a majority, was to be signed by all of the members, the two Governments were to bear their respective

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expenses incurred prior to the meeting of the commission, and equal moieties of the expenses after its meeting, incurred in connection with it.

The commission composed of Admirals from the British, Russian, French, American and Austro-Hungarian Navies sat in Paris from December 22, 1904, until February 26, 1905, on which latter date it rendered a report, finding that no Japanese vessels were among the British fishing fleet, that Admiral Rodjestvensky was to blame for firing upon the fishermen, whereby two of their crews were killed, six wounded, one boat sunk and five more or less damaged; and that Rodjestvensky's action did not discredit him from the military or humanitarian point of view, although he should have informed "the authorities of the neighboring maritime Powers, that, as he had been led to open fire near a group of trawlers, these boats, of unknown nationality, stood in need of assistance."

The Russian Government accepted the facts as found, assumed the responsibility for its Admiral's action, and paid damages amounting approximately to $300,000.[1]

* * *

We are now prepared to consider the Bryan peace plan, as it is called, which the reader will observe takes the commission of inquiry as its point of departure, substitutes a permanent for a temporary commission, extends its jurisdiction from facts to all questions not otherwise provided for, retains as essential the purely advisory or voluntary character of the report and assigns to the commission the generous period of a year within which to complete its labors, during which time the nations pledge themselves not to go to war or resort to any act of hostility. Thirty States have done this, in thirty important documents, twenty of which have been proclaimed and actually are the supreme law of the land of the contracting parties.

Mr. Bryan was apparently not influenced in first instance by the action of the Hague Conference, but proceeded, and properly, from a procedure of private law which had proved so successful within its limited domain as to suggest and to justify its extension from the national to the international field. In the course of various interviews, Mr. Bryan explained to the undersigned, approximately as follows, the genesis and nature of his peace plan.

[1] For documents in the case, see *American Journal of International Law*, vol. 2 (1908), pp. 929–936; Scott, *The Hague Court Reports*, pp. 403–412, 609–615.

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The treaties providing for the investigation of *all* disputes had their origin in a plan similar in principle, Mr. Bryan says, which he advocated for several years as a means of dealing with labor disputes. He thought compulsory arbitration objectionable in this country, because it would be contrary to public sentiment to attempt to compel either party to the dispute to comply with an order which involved either carrying on business at a loss, or furnishing labor at a price or upon terms believed by the laboring men to be inequitable. Compulsory *investigation,* however, was not open to the same objection, for the purpose of investigation is only to lay before the public the facts in the dispute and the disposition of the parties, relying upon the force of public opinion to secure an adjustment of the dispute after the facts are known.

Mr. Bryan's plan involved the following principles:

First, that it should be applied to *all* disputes of every kind and character.

Secondly, that the investigation should be made by a permanent board whose aid could be invoked by either side at any time, and invested with authority to investigate upon its own initiative.

Thirdly, that in order to assure fairness, the board should in each investigation add two members, one selected by each side, the temporary members to have equal authority with the permanent members during the investigation for which they were selected.

Fourthly, that each side should possess the right to act independently at the conclusion of the investigation and the presentation of the report, the recommendations of the commission enjoying only such force as their intrinsic merits gave them.

During the Russian-Japanese war it occurred to Mr. Bryan that the plan proposed for labor disputes might with advantage be applied to international disputes, and in February, 1905, he suggested the plan in an editorial in his paper, the *Commoner.* This editorial was followed a few weeks later by another elaborating the same idea.

In the first editorial referred to, Mr. Bryan said in the *Commoner* for February 17, 1905[1]:

> It is time for the leading nations to join together in proffering their good offices for the settlement of the war in the east. There must be mediation some time, why not now? Russia can not hope

[1] Reprinted in the *Commoner,* August, 1915, from which number the following excerpt was taken.

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> to retake Port Arthur in years, if at all, and Japan will find war more expensive and more hazardous the farther her army marches inland. There has been killing enough on both sides to satisfy that absurd sense of honor which requires bloodshed. There never was a time when the Christian nations were under a more imperative duty to throw their influence on the side of peace, and the United States can well afford to take the lead because our relations with both Russia and Japan are such as to relieve us of any suspicion of selfish interest. And when peace is restored our nation should take the initiative in promoting a system of arbitration so comprehensive *that all differences will be submitted to the Arbitration Court, reserving to each nation the right to refuse to accept the finding if it believes that it affects its honor or integrity.* Such a system would make war a remote possibility.

In the second editorial in the *Commoner* a week later, on February 24, 1905, Mr. Bryan said, after commenting upon the Senate amendments to President Roosevelt's and Secretary Hay's treaties of arbitration:

> It is possible . . . to provide for the impartial investigation of any international dispute, leaving the final submission to arbitration to be a matter of treaty. The president might be authorized to enter into an agreement to submit *any and every international dispute to the Hague Court for investigation.* When the court reports upon the facts and presents the real issue between the parties *then the parties can decide intelligently whether it involves a proper question for arbitration or affects the integrity and honor of either nation.* Such an investigation would, in most cases, remove misunderstanding and bring about a reconciliation, and public opinion would exert a powerful influence in harmonizing any differences which might be found to exist. . . . If such a plan had been in operation the Russian-Japanese war might have been prevented. It is quite certain that a preliminary investigation by an impartial board would have prevented most of the international wars of the last half century, and would be still more effective in the future.

In September of 1905 Mr. Bryan left the United States for a trip around the world. The first nation visited was Japan and there, on the twentieth of October, he presented his project at a dinner tendered him at the Bankers' Club in Tokio. On this occasion Mr. Bryan proposed investigation before a declaration of war, and in his remarks in support of the proposal he said: "I believe the establishment of such a board, leaving to the nations the right of independent

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action afterwards, would do much to settle difficulties between nations, —indeed, it would do more than any system involving an agreement in advance to abide by the decision."

During the following June, while in Norway, he received and accepted an invitation to the meeting of the Interparliamentary Union to be held in London in July. The invitation came from Lord Weardale, then and now, one of the active and intelligent advocates of international peace, whom Mr. Bryan had met two years before in the United States. Upon reaching London, Mr. Bryan laid the proposed plan before Lord Weardale, who heartily and unreservedly endorsed it. It was then presented to Sir Henry Campbell-Bannerman, the British Premier, who also approved of it, and in his remarks at the opening of the Union, Sir Henry inserted a passage which was intended to serve as an introduction to the plan. In this famous address, delivered on July 25, 1906, known as the Duma speech because of its ending "the Duma is dead, long live the Duma," inasmuch as that body had just been dissolved. The Prime Minister said, in the passage referred to by Mr. Bryan:

> Gentlemen, I fervently trust that before long the principle of arbitration may win such confidence as to justify its extension to a wider field of international differences. We have already seen how questions arousing passion and excitement have attained a solution, not necessarily by means of arbitration in the strict sense of the word, but by referring them to such a tribunal as that which reported on the North Sea incident; and I would ask you whether it may not be worth while carefully to consider, before the next congress meets at The Hague, the various forms in which differences might be submitted, with a view to opening the door as wide as possible to every means which might in any degree contribute to moderate or compose such differences.[1]

In the course of Mr. Bryan's remarks in behalf of investigation as an alternative to arbitration and as an amendment to the proposed treaty of arbitration drafted by the Union and adopted at this session he said, in justification of his own proposal and after quoting the above passage from the Premier's speech:

> This amendment is in harmony with this suggestion. The resolution is in the form of a postscript to the Treaty, but like the postscripts of some letters, it contains a very vital subject—in fact,

[1] Interparliamentary Union. *Official Report of the Fourteenth Conference*, p. 103.

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I am not sure but the postscript in this case is as important as the letter itself, for it deals with those questions which have defied arbitration. Certain questions affecting the honor or integrity of a nation are considered outside the jurisdiction of a court of arbitration, and these are the questions which have given trouble. Passion is not often aroused by questions that do not affect a nation's integrity or honor, but for fear these questions may arise, arbitration is not always employed where it might be. The first advantage, then, of this resolution is that it secures an investigation of the facts and if you can but separate the facts from the question of honor, the chances are 100 to 1 that you can settle both the fact and the question of honor without war. There is, therefore, a great advantage in an investigation that brings out the facts, for disputed facts between nations, as between friends, are the cause of most disagreements.

The second advantage of this investigation is that it gives time for calm consideration. That has already been well presented by the gentleman who has preceded me, Baron von Plener. I need not say to you that man excited is a very different animal from a [sic.] man calm, and that questions ought to be settled, not by passion, but by deliberation. If this resolution would do nothing else but give time for reflection and deliberation, there would be sufficient reason for its adoption. If we can but stay the hand of war until conscience can assert itself, war will be made more remote. When men are mad they swagger around and tell what they can do; when they are calm they consider what they ought to do.

The third advantage of this investigation is that it gives opportunity to mobilize public opinion for the compelling of a peaceful settlement, and that is an advantage not to be overlooked. Public opinion is coming to be more and more a power in the world. One of the greatest statesmen my country has produced—Thomas Jefferson, and, if it would not offend, I would say I believe him to be the greatest statesman the world has produced—said that if he had to choose between a government without newspapers and newspapers without a government, he would rather risk the newspapers without a government. You may call it an extravagant statement, and yet it presents an idea, and that idea is that public opinion is a controlling force. I am glad that the time is coming when public opinion is to be more and more powerful; glad that the time is coming when the moral sentiment of one nation will influence the action of other nations; glad that the time is coming when the world will realize that a war between two nations affects others than the two nations involved; glad that the time is coming when the world will insist that nations settle their differences by some peaceful means. If time is given for marshalling the force of public opinion, peace will be promoted. This resolution is pre-

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> sented, therefore, for the reasons that it gives an opportunity to investigate the facts and to separate them from the question of honor; that it gives time for the calming of passion; and that it gives a time for the formation of a controlling public sentiment.[1]

A proposition relating to mediation was also before the conference and the committee reported in favor of combining the two as alternative propositions and in this form the resolution went through without opposition. The text of this resolution as amended was thus worded:

> If a difference should arise between the contracting parties which, by the terms of the Convention, should not be submitted to arbitration, the parties shall not have recourse to any measure of hostility of whatever nature before having jointly or separately demanded, according to the circumstances of the case, either the constitution of an international commission of inquiry or the mediation of one or more friendly Powers. This requisition shall be made, in case of need, comformably to Article VIII of the Hague Convention for the peaceful settlement of international conflicts.[2]

From that time on, Mr. Bryan presented his plan wherever and whenever opportunity offered, and it was afterward endorsed at an international peace gathering in New York and in 1910 at a public meeting in Edinburgh.

Later, when President Taft was negotiating treaties of arbitration with Great Britain and France, Mr. Bryan called at the White House and laid before the President and Secretary of State Knox his peace plan, a part of which, Mr. Bryan says, was incorporated in the treaties. Mr. Bryan further adds, in this connection, that the President very generously gave him credit for his suggestion in a public address which he made shortly afterwards in Nebraska.

The Senate, it is well known, objected to these treaties, but on grounds immaterial to the present purpose, and they failed of ratification in the form in which they were submitted.

When, after the election of 1912, Mr. Bryan was summoned to Trenton by Mr. Wilson, who tendered him the Secretaryship of State, the prospective Secretary of State laid the plan before the President-Elect and told him that with his support the project would, he believed, be accepted by the world. The President, Mr. Bryan says, very heartily approved the proposal.

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[1] Interparliamentary Union, *ibid.*, p. 125.
[2] *Ibid.*, p. 123.

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Shortly after Mr. Wilson's inauguration, Secretary Bryan submitted to the President a written outline of the plan, and the President, after conferring with the Cabinet on the subject, authorized its presentation to the diplomatic agents of foreign nations represented at Washington, and Mr. Bryan, to remove possible misunderstanding with the other branch of the treaty making power, wisely took the precaution to confer with the Senate Committee on Foreign Relations before presenting it to the diplomats. On the 24th of April, 1913, the Ambassadors and Ministers residing at the national Capital met by invitation in the reception room of the State Department, and Mr. Bryan presented to each diplomat present a written outline of the plan, after accompanying it with explanations. The plan, as thus presented, provides:

First, for the investigation of *all* disputes.

Secondly, for a permanent international commission. All of the treaties authorize the commission to act upon the request of either party and in a number of treaties the commission is empowered to act upon its own initiative, a provision which Mr. Bryan says he tried to incorporate in all of the treaties, but was unable to do so in every case. The reason for this desire and effort on his part Mr. Bryan illustrated by the following "Story" which he recounted to the diplomats, to their amusement no doubt and perhaps to their edification: "A man was complaining to a friend that he found it impossible to drink moderately, because of the numerous invitations which he received from others. The friend, to whom the complaint was made, suggested to him that the difficulty might be remedied by calling for 'sarsaparilla' whenever he found that he had all the whiskey he wanted." "But," said the complainant, "that is the trouble; when I get all the whiskey I want I can not say sarsaparilla." Upon this anecdote, given in his own words, Mr. Bryan thus comments. "The application is easily made. At the time when investigation is most needed the parties to the dispute may be restrained from asking for investigation by the fear that such a request might be construed as cowardice. It is difficult for a nation to say "investigate" when it is angry. At such a time, therefore, the commission should be authorized to tender its services, and thus relieve both parties of embarrassment."

Thirdly, for the sake of impartiality, that the commission be made up of *one subject or citizen from each nation to be chosen by that nation,* and one subject or citizen to be chosen by each nation from a foreign

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nation, and a fifth to be selected by agreement of the two contracting nations.

Fourthly, for a year's time for investigation and report, during which the parties are not to declare war, or resort to hostilities.

Fifthly, for the reservation by each of the nations of the right to decide for itself, at the conclusion of investigation, what action it will take.

The resemblance between this plan and the plan intended for labor troubles is, as Mr. Bryan says, very apparent. The two most important features are identical; the investigation of *all* disputes and the reservation of the right to act independently—the second, in Mr. Bryan's opinion, being necessary to the acceptance of the first.

The great trouble with treaties of arbitration has been and is that they leave exceptions—questions of honor, questions of independence, vital interest, and interests of the third parties. It is, however, impossible, as Mr. Bryan himself admits, to eliminate these exceptions, in the present state of public opinion, and his plan is intended to close the gap, as it were, and to leave undiscussed no dispute which may indeed become the cause of war but which should not result in war during the year allowed for investigation and report.

It is also obvious that the plan resembles that proposed for labor disputes, inasmuch as the commission is permanent and each party is allowed to select from among its citizens a member of the commission.

After sufficient time had elapsed for the diplomatic representatives to communicate with their respective countries, Mr. Bryan took up with each country the negotiation of a separate treaty along the line proposed. No attempt was made to enforce the use of any particular phraseology. On the contrary, the nations were assured that the United States stood ready to consider any changes in detail that might be suggested, as Mr. Bryan's desire was to embody in conventional form the provisions necessary to secure the submission of *all* disputes to investigation before resort to force.

The first treaty was signed with Salvador on the 7th of August, 1913, and thereafter treaties with Guatemala, Panama, Honduras, and Nicaragua in the order named. These treaties, it may be added, contained a provision that the parties should not change their military or naval programmes during the period of investigation, but this clause, objected to by the European nations, was struck out of the five treaties by the

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Senate at the time of their ratification, so that the treaties are as a series and as a whole practically uniform.

The Netherlands was appropriately the first of the European nations to sign one of these treaties with the United States.

Only one nation, Mr. Bryan says, objected to any vital principle, and that nation finally yielded its objection to the all-inclusive character of the treaty.

On July 24, 1914, Brazil, Argentina and Chile signed simultaneously. On September 15, 1914, France, Great Britain, Spain, and China likewise signed simultaneously, thus in one day bringing, as Mr. Bryan is accustomed to say, something like nine hundred millions of people under the influence of these treaties which their negotiator believes will tend to make war a remote possibility between the contracting parties. These four treaties, Mr. Bryan adds, had been practically agreed upon for some time, but the contracting nations waited on one another, wishing to sign at the same time. The delay in this instance was apparently due to the desire and the present policy of Great Britain to submit drafts of proposed agreements to its self-governing dominions, in whose favor the treaty contained a clause permitting the withdrawal of the Imperial and the substitution of a Colonial Commissioner chosen by the colony affected.

The treaty with Russia was signed on October 1, 1914. Austria-Hungary, Belgium and Germany endorsed the plan, Mr. Bryan assures us, but they did not enter into treaties embodying it, although, to quote Mr. Bryan's exact language on this point, "the same earnest effort was put forth to negotiate treaties with them which was employed in securing treaties with the other nations, and the plan was offered to all nations alike without regard to population, extent of territory, or relative influence."

From an examination of the list it will be noticed, as Mr. Bryan stated to the undersigned: "that nearly all of the nations of large influence are included and the nations which have not endorsed the principle have, as a rule, been restrained by circumstances which readily explain their failure to give endorsement. For instance, Mexico has not until very recently had a government recognized by the United States. Between us and Japan there is an unsettled dispute relating to the California alien laws, and Colombia, the only country in South America which has not signed the treaty, failed to do so because another treaty awaited ratification by the United States."

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The principal arguments in favor of Mr. Bryan's plan, are, to quote his exact language instead of paraphrasing it:

> First, that it gives time for passion to subside and for reason to resume her sway—a time for cooling off. European diplomats have asserted that a week's time for consideration would have prevented the present war. Our plan gives fifty-two weeks.
>
> Second, it gives time for separation of questions of honor from questions of fact, inasmuch as the line between these two kinds of questions is apt to be obscured in times of excitement.
>
> Third, it gives time for the peace forces of the world to operate. While the treaties do not make war impossible they make it a remote possibility. Nations are not apt to go to war after a year's time spent in investigation of the facts by an international tribunal.
>
> The nations have had machinery for war—they could go to war in a week—but strange to say, they had no machinery for the adjustment of disputes which defied diplomatic settlement. They were compelled to rely upon good offices or mediation with nothing to prevent acts of hostilities before either could be offered. The peace treaty plan furnishes the machinery, and it can be invoked as soon as diplomacy fails. The time may come when all questions, without exception, will be submitted to arbitration; until that time, the treaty providing for investigation in *all* cases is the best insurance we have against war.[1]

* * *

Taking Mr. Bryan's account of the nature, purpose and scope of the treaties, officially called, "Treaties for the Advancement of Peace," as accurate, as indeed Mr. Bryan must be regarded as the primary source of authority in such matters, we are now prepared to consider the texts of the treaties which he negotiated to give effect to his views. They are thirty in number. The first five were quite naturally concluded with American countries, of which Salvador was the first to sign, and these countries were willing to go farther than the European countries in which a step in advance is the subject of much discussion and is only taken with extreme caution. The first European treaty was, as previously stated, appropriately concluded with the Netherlands, which country has been for some years the very pivot and center of an enlightened and reasonable peace movement, and since the meeting of the two Conferences at The Hague and the location in that city of the Peace Palace, due to the munificence of an American citizen, Mr.

[1] Letter of Mr. Bryan to J. B. Scott, September 30, 1917.

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Andrew Carnegie, to house the Permanent Court of Arbitration and a library for its use, The Hague may with considerable propriety be called the very center and capital of internationalism.

Let us therefore compare the treaties with Salvador and the Netherlands and then pass to a consideration of the other treaties which Mr. Bryan was fortunate enough to negotiate with the remaining American and European countries, and with China and Persia.

But before doing so, it is advisable to state that treaties embodying Mr. Bryan's plan were concluded with the following countries, arranged according to the dates of signature which are given in each instance:

Country	*Date of Signature*
Salvador	August 7, 1913.
Guatemala	September 20, 1913.
Panama	September 20, 1913.
Honduras	November 3, 1913.
Nicaragua	December 17, 1913.
Netherlands	December 18, 1913.
Bolivia	January 22, 1914.
Persia	February 4, 1914.
Portugal	February 4, 1914.
Costa Rica	February 13, 1914.
Switzerland	February 13, 1914.
Dominican Republic	February 17, 1914.
Venezuela	March 21, 1914.
Denmark	April 17, 1914.
Italy	May 5, 1914.
Norway	June 24, 1914.
Peru	July 14, 1914.
Uruguay	July 20, 1914.
Brazil	July 24, 1914.
Argentine Republic	July 24, 1914.
Chile	July 24, 1914.
Paraguay	August 29, 1914.
China	September 15, 1914.
France	September 15, 1914.
Great Britain	September 15, 1914.
Spain	September 15, 1914.
Russia	October 1, 1914.
Ecuador	October 13, 1914.
Greece	October 13, 1914.
Sweden	October 13, 1914.

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Of these treaties, thirty in number, the Senate of the United States has advised and consented to the ratification of the following twenty-eight, arranged in the order of such approval:

Country	*Ratification advised by the Senate*
Argentine Republic	August 13, 1914.
Bolivia	August 13, 1914.
Brazil	August 13, 1914.
Costa Rica	August 13, 1914.
Guatemala	August 13, 1914.
Honduras	August 13, 1914.
Italy	August 13, 1914.
Netherlands	August 13, 1914.
Nicaragua	August 13, 1914.
Norway	August 13, 1914.
Persia	August 13, 1914.
Portugal	August 13, 1914.
Salvador	August 13, 1914.
Switzerland	August 13, 1914.
Uruguay	August 13, 1914.
Venezuela	August 13, 1914.
Chile	August 20, 1914.
Peru	August 20, 1914.
France	September 25, 1914.
Great Britain	September 25, 1914.
Spain	September 25, 1914.
Denmark	September 30, 1914.
China	October 12, 1914.
Russia	October 13, 1914.
Ecuador	October 20, 1914.
Greece	October 20, 1914.
Paraguay	October 22, 1914.
Sweden	October 22, 1914.

Of these twenty-eight, ratifications have been exchanged with the following countries, arranged according to the date of such exchange:

Country	*Ratifications Exchanged*
Guatemala	October 13, 1914.
Norway	October 21, 1914.
Portugal	October 24, 1914.
Great Britain	November 10, 1914.
Costa Rica	November 12, 1914.

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Spain	December 21, 1914.
Bolivia	January 8, 1915.
Sweden	January 11, 1915.
Denmark	January 19, 1915.
France	January 22, 1915.
Uruguay	February 24, 1915.
Peru	March 4, 1915.
Paraguay	March 9, 1915.
Italy	March 19, 1915.
Russia	March 22, 1915.
China	October 22, 1915.
Chile	January 19, 1916.
Ecuador	January 22, 1916.
Honduras	July 27, 1916.
Brazil	October 28, 1916.

The preamble in all of the treaties is identical and states the contracting countries as "desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace."

In the first article of the treaty with Salvador the high contracting Parties "agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an international commission, to be constituted in the manner prescribed in the next succeeding article." That is to say, all disputes, whether involving questions of fact, law or policy, are to be submitted for investigation and report, provided only that diplomacy shall have failed to adjust them. The treaty with the Netherlands is more cautious, and makes it clear that the new supplements but does not supplant an older treaty providing for arbitration. Thus: "The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent international commission, to be constituted in the manner prescribed in the next succeeding article."

This limitation is just and proper from every point of view.

In the first place, an obligation to arbitrate is not satisfied by submitting a dispute covered by such a treaty, to the commission which only investigates and reports, whereas an arbitral tribunal decides the

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questions laid before it and binds the conscience and the good faith of the parties to comply with and to execute the award.

In the second place, the membership of the arbitral tribunal may well differ from that of the commission, inasmuch as different qualifications may be required to pass upon questions of law and to apply them to the facts as stated or found, from those fitted to find facts or take into consideration questions of honor, or vital interest which inevitably involve politics and international policy and in which questions of law may play but a modest or subdued rôle.

In the third and final place, for only essential differences are to be pointed out, the Netherland Government wanted to have it distinctly appear that, as far as it was concerned, the treaty was primarily to bring to investigation and report questions ordinarily reserved from the obligation to arbitrate contained in the general treaties of arbitration, although if the agreement to arbitrate under the general treaty or agreement has not been complied with, the Bryan treaty may then be utilized to cause the particular matter to be submitted to the commission. Such action is, however, to be the exception, not the rule.

The two treaties are, however, alike in the final and vital clause of the first article, for the text of both is so similar as to be almost identical in language as in meaning. Thus the treaty with Salvador provides, as do all of the series, that the high contracting Parties "agree not to declare war or begin hostilities during such investigation and report."

In each treaty the commission of inquiry is to be composed of five members, one to be chosen by each from its citizens or subjects, a second from a third country, and in the treaty with Salvador "the fifth member shall be chosen by common agreement between the two Governments"; in the treaty with the Netherlands the proviso is added "that he shall not be a citizen of either country." Doubtless in practice the umpire would be a foreigner to each, but it was well to state it in order that three of the members, that is the majority, must be indifferent to the dispute. In each treaty the expenses of the commission are to be paid in equal proportions; in the treaty with Salvador the commission is to be appointed within four, in that with the Netherlands, within six months after exchange of ratifications and vacancies are to be filled in each as in the case of original appointments.

The third article of both is very similar, but not identical, as Mr. Bryan did not attempt to secure absolute uniformity of detail, wisely

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leaving something to the other side to suggest and to the United States to accept. By the first paragraph of each treaty the dispute is to be submitted to the commission immediately upon the collapse of diplomacy. In the Salvadorian treaty the commission may "act upon its own initiative," notifying and requesting the cooperation of the Governments; whereas in the Netherland draft the commission may "spontaneously" offer its services. The meaning seems, however, to be identical in each case, as where special formalities are to be required, they are stated in the treaties.

In the second sentence of the third article the treaty with Salvador presumes that the request of cooperation is tantamount to an obligation to cooperate. This is not, however, left to conjecture by the Netherlands, as by the third paragraph of the article, the high contracting Parties "agree to furnish" the commission "with all the means and facilities required for its investigation and report." In the next paragraph of the article the commission has a year in which to investigate and to report upon the dispute, which, in the case of Salvador, may be extended, and in the case of the Netherlands limited or extended by mutual agreement. In each the report is to be in triplicate, one copy for each of the parties and the third for the files of the commission.

The concluding paragraph is identical and as it is of the essence of Mr. Bryan's plan it is found in all of the treaties in similar if not in identical language. According to the text of the Salvadorian and Netherland treaty it reads: "The high contracting Parties retain the right to act independently on the subject-matter of the dispute after the report of the commission shall have been submitted."

Thus far there have only been slight differences in the two texts making for clearness in thought and expression, and precision in the nature and extent of the obligation assumed. There was, however, an important difference between the treaties with Salvador, Guatemala, Panama, Honduras, Nicaragua and Persia on the one hand, and all the others, including, of course, the Netherlands, which latter country was the first to strike out the fourth article of the five American treaties in which it was followed by all other countries with the exception of Persia.

This article is thus worded:

> Pending the investigation and report of the International Commission, the high contracting parties agree not to increase their

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> military or naval programs, unless danger from a third power shall compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

The Senate in advising and consenting to the ratification of the treaties eliminated this article, thus removing this difference between them, reducing any variation in the various treaties to one of method rather than of obligation.

In taking this action the Senate was well advised as the provisions of the article were complicated, difficult to supervise or control, and sought to lay a burden upon the contracting Parties which they would find irksome to observe and which in addition was really out of place, as the relations of a contracting party with a third State was no concern of the contracting country.

The final and formal article regarding ratification provides in each of the two treaties under consideration that each is concluded for a period of five years and remains in effect thereafter until twelve months after notice given by either of an intention to terminate it.

Each article of the earliest American and of the European or later model has been passed in review in order to show how alike they are in all their essential parts, and a careful examination and comparison of all the treaties will disclose the fact that they differ from one another and from these two in what may be considered minor details, due to a desire for different provisions in some instances, to a preference for a more precise formulation of their terms and to a greater precision of expression.

The sense in which the various treaties ratified and proclaimed was understood by Mr. Bryan and the Senate can be seen from Secretary Bryan's letter of August 1, 1914, addressed to the Honorable William J. Stone, then chairman of the Committee on Foreign Relations of the United States Senate, and in an editorial comment written by the undersigned on the treaties in the *American Journal of International Law* for July, 1914, which Mr. Bryan sent to each member of the Senate at the time of and for the purpose of their ratification. The differences in each case arranged under appropriate headings are admirably stated, and classified in an editorial comment in the *American Journal of International Law* for October, 1916, written by George A. Finch, secretary of the Board of Editors of the *Journal*.

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To avoid conscious repetition and an unconscious reproduction of their terms in language paraphrased when not directly quoted, these three documents are for the convenience of the reader appended to the present introduction.

* * *

The Treaties for the Advancement of Peace leave diplomacy to achieve its hundred silent victories to one announced defeat. Good offices and mediation may be offered and accepted. Friendly composition may be invoked and arbitration employed without interposition of the commission of inquiry. If diplomacy fails and no other means are resorted to, or if the dispute involves honor or vital interests, falling beyond the scope of any agreement, Mr. Bryan's permanent commission, composed of three indifferent persons and a member from each disputant, stands ready to accept jurisdiction at the behest of the parties, or of one of them, or to offer their services in order to investigate the case, and to report its findings to the Governments in controversy.

Imitation, they say, is the sincerest flattery, and it is a very striking tribute to the excellence of Mr. Bryan's treaties that the great and progressive States of Argentina, Brazil, and Chile have not only negotiated treaties for the advancement of peace with the United States, but have also negotiated a treaty of the same kind between and among themselves.[1]

This treaty, signed in the city of Buenos Aires on the 25th day of May, 1915, shows that in their opinion an agreement of this kind need not be confined to two countries, and it is therefore the first step, appropriately taken in the new world, towards the creation of an international commission of inquiry to which many nations, if not all, may be parties. What two can do, three have done; and what three can do, all may. It is no doubt easier for a small number of nations to conclude a treaty of this kind, inasmuch as each may have a permanent member without unduly enlarging the commission. In the present case, each of the contracting nations limited itself to a member, and the commission of three members was to meet and to function in case of need in the conveniently located city of Montevideo, in the Republic of Uruguay.

[1] Appendix, *post*, p. 147.

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For a treaty to which many nations would be parties, it would only be necessary to agree upon a number of members possessing the confidence of the contracting countries, and to allow each of the nations in dispute to add one of its citizens or subjects to the permanent membership thus composed, which may be considered the nucleus of the commission.

Because of the interest and importance of this treaty, four of its articles are quoted. The first, dealing with jurisdiction is thus worded:

> Controversies which may arise among the three Contracting Parties, or between two of them, on any subject whatever originating in the future and which can not be adjusted by diplomacy, or submitted to arbitration in conformity with existing or future treaties, shall be submitted for investigation and report to a Permanent Commission organized in the manner established by Article 3. The High Contracting Parties engage not to commit hostile acts before the report of the Commission established by the present treaty, or until the expiration of the period of one year mentioned in Article 5.

The third article provides that the commission shall be organized as follows:

> In order to constitute the permanent commission referred to in Article 1, each of the High Contracting Parties shall appoint a delegate within three months after the exchange of ratifications of the present treaty. Each Government may revoke the appointment of its own delegate at any time before the beginning of the investigation, but shall, however, designate the successor in the same act of revocation. Vacancy due to other causes shall be filled by the respective Government, and the provisions of the present treaty shall not be suspended thereby.

To the commission thus formed, the fourth article requires that:

> The controversies mentioned in Article 1 shall be submitted for investigation and report to the commission immediately after the breakdown of the diplomatic negotiations for their solution. Each of the Governments interested in the controversy can convoke the Commission. In order that the convocation may produce its effect it is sufficient to communicate it to the two other Governments.

The fifth article deals with the procedure, which it regulates in the following manner:

> The Permanent Commission shall be constituted in the city of Montevideo within three months of its convocation, and it shall

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> determine the rules of procedure necessary for the accomplishment of its mission. If for any reason the Commission can not meet, it shall, at the expiration of the three months, be considered as constituted for the purposes of the periods established in the present article. The High Contracting Parties shall submit the antecedents and the information necessary for the investigation. The Commission must present its report before the expiration of a year from the date of its constitution. If it can not complete its investigation nor prepare its report within the period fixed, it may extend the period for six months or longer, with the consent of the High Contracting Parties.

As in the case of the Treaties for the Advancement of Peace, to which only two contracting nations are parties, the report is advisory, leaving it to the nations to take such action as their wisdom, discretion, or special interests may suggest.

But Mr. Bryan's plan and method of composing the commission is as applicable to an international court of justice as to an international commission of inquiry. In enumerating the advantages of his method of constituting the Board or Commission, Mr. Bryan says that in order to assure fairness two members should be added in every investigation, one of whom should be chosen by each side; and that the temporary should possess equal authority with the permanent members during the investigation for which they were selected. If an international court were to be formed by the civilized nations professing and practicing international law, and if the court were to consist of an odd number of judges,—not less than nine, nor more than thirteen,—each litigating nation could, if not represented on the bench, appoint "in order to assure fairness," one of its subjects or citizens, to sit with the permanent judges during the trial and disposition of the case. The judgment would, under given conditions, be reached by permanent and indifferent members who would nevertheless enjoy the advantage of the presence of alert and vigilant representatives of the litigating nations. The judges would also benefit by the knowledge which the temporary members possessed, of the laws and constitutions of the countries in controversy, without danger that the decision would in any way depend upon these frankly interested parties.

A court constituted in this manner would be as ready as the commission to assume jurisdiction and if either party could thus lay its case before the court as it may before the commission, a judgment would

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be reached by judicial means ascertaining the rights and duties of the contending parties.

As in the case of the commission, it is not necessary to enforce the decision as execution of an arbitral award depends upon the good faith of the parties, and good faith has hitherto been found sufficient. If we would frankly admit that the duty of the judge is to decide and not to execute, we could by this simple device secure a judicial decision of every justiciable dispute when and as it arises, upon the initiative of the party in interest, and leave public opinion to do the rest.

By this method a special agreement for each case would not need to be negotiated and any nation could as plaintiff carry its difference to the court and set it in motion. If each party were left free to accept and to comply with the holding, according to its standard of honor and conception of its duty in the premises, there could be no greater objection to a treaty creating a permanent international court of justice instead of or in addition to a permanent international commission of inquiry, and, as far as the United States is concerned, there would be thirty precedents for signing, twenty-nine precedents for ratifying, and twenty precedents for proclaiming such an agreement.

We are so accustomed to associate execution with judgment that we find it hard, if not impossible, to separate the two and think of one without the other. Yet it is a fact that the two grew up separately, that the judgment antedated the execution and that it is only in fully developed systems of jurisprudence that the two are combined. They are concomitants in suits between private suitors, they are not inseparable companions in litigation to which nations are parties. It is therefore well to let experience decide whether execution is necessary, and to suggest the terms of an agreement on this subject, if one should prove to be advisable and practicable.

The absence of the sheriff does not prevent the negotiation of treaties of arbitration, the absence of the marshal should not delay the negotiation of a treaty for judicial settlement. The experience had with the one suggests the feasibility of the other, and a permanent nucleus of judges, chosen by the nations, to pass upon their justiciable disputes, would assure a judgment by disinterested parties, in accordance with a treaty creating the obligation for all of the high contracting parties to submit their controversies to the same body and number of indifferent judges, preserving to each equality of representation upon the bench during the trial and disposition of the case.

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This equality would not be affected by the fact that a member of the court happened to belong to one of the litigating nations, inasmuch as the other litigant could exercise its right of appointment for the case and have its views presented by a judge of its own choice, who would, it is to be presumed, be equally well informed and vigilant as the judge of the other litigant.

By this method we would thus have one obligation for all, and an equality of representation for each at the very moment when it is desired and supposed to be of prime importance.

Possessed of the experience which would necessarily result from such an institution, the nations could then in the light of this experience and of its lessons establish a more perfect tribunal, just as the framers of the Constitution of the United States created a more perfect Union because of the experience and the lessons of the Confederation.

To the modern man with the medieval mind, these treaties will seem but sorry stuff, for they decide nothing, leaving the nations free to adopt or to reject the report of the commitee of inquiry. To others they will seem unheroic, as physical force is neither invoked to compel the contracting parties to submit the dispute to the commission nor to enforce its findings.

To those who believe in good faith and that it can only be educated, not coerced into action in conformity with the given word, as well as to those who regard public opinion as the universal and supreme sanction before which in the long run crowns are humbled and against which the mailed fist strikes in vain, these harmless agreements, for they can neither injure man nor nation, will be a comfort and a hope: a comfort that the persuasion of public opinion is relied upon instead of physical coercion, and a hope that other advocates of justice between nations will regard these treaties as precedents for further progress.

Any dispute that can be talked about can be settled; any dispute that is talked about must and will be settled in accordance with the dictates of an insistent and enlightened public opinion.

JAMES BROWN SCOTT.

WASHINGTON, D. C., *July 9, 1918.*

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Letter of Secretary of State Bryan to the Honorable W. J. Stone, Chairman of the Committee on Foreign Relations of the United States Senate, August 1, 1914[1]

August 1, 1914.

MY DEAR SENATOR:

In compliance with your request, I am sending you a comparison of the twenty treaties showing wherein they are identical and wherein they differ. The treaty with Salvador, signed August 7, 1913, is the first of this series, and the text of this treaty will be used as the basis for comparison.

The first clause of Article 1 of the Salvador treaty reads:

> The High Contracting Parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding article;

This clause in the treaties with Guatemala, Panama, Honduras, Nicaragua and Persia is identical with Article 1 of the Salvador treaty, and in the treaties with Denmark, the United States of Venezuela, Norway, the Argentine Republic and the Republic of Chile is substantially the same, the difference being merely in the use of other words of the same meaning.

The first clause of Article 1 of the Netherland treaty reads:

> The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article;

and this language is followed substantially in the treaties with Bolivia, the Portuguese Republic, Switzerland, Costa Rica, the Dominican Republic (see first sentence in Article III), Italy, Uruguay, and Brazil —the treaty with the United States of Brazil limits questions of an

[1] MS. Department of State.

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international character and this limitation is, of course, understood in the others. The exception in regard to arbitration to be found in the treaty with the Netherlands and in those that contain similar language is also understood. These treaties are intended to supplement other treaties, not abrogate them.

The last clause of Article I of the Salvador treaty will be found in all the treaties; where there is any change in the wording, the change does not affect the meaning. This clause embodies one of the essential principles of the plan, namely, that there shall be no declaration of war or commencement of hostilities until the investigation is concluded and the report prepared. The treaty with the Republic of Chile adds:

> Nor before all resources stipulated in this treaty have proved unsuccessful.

The first paragraph of Article II of the Salvador treaty reads:

> The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of the Commission shall be paid by the two Governments in equal proportion.

This method of selection is followed in all the other treaties, but in three treaties, namely, those with Norway, the Argentine Republic, and the Republic of Chile, provision is made for the selection of the fifth member in case the two countries can not agree. In the treaty with the Argentine Republic the fifth member, in case of disagreement between the two countries, is to be chosen by the president of the Swiss Confederation. The treaty with Norway provides that, in case of disagreement, the fifth member shall be chosen according to Article 87 of the Hague Convention of 1907. The treaty with the United States of Venezuela provides that the selection of the fifth member may be submitted to the other four.

The treaties with the Netherlands, Bolivia, the Portuguese Republic, Denmark, Switzerland, Costa Rica, Dominican Republic, the United States of Venezuela, Italy, Norway, Uruguay, and the Argentine Republic provide that the fifth member of the Commission shall not be a citizen of either of the contracting nations, and the treaties with the United States of Brazil and the Republic of Chile provide that the fifth

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member shall not be a citizen of any of the countries represented by the other four commissioners. The treaties with the United States of Brazil and the Republic of Chile provide that the fifth member shall preside.

All the treaties provide that the expenses of the Commission shall be borne equally by the two countries.

In the treaties with Bolivia, Switzerland, Costa Rica, the Dominican Republic, Italy, and Uruguay it is provided that the Commissioners are to receive compensation only when actually employed. While this is not stated in the other treaties, we may assume that the same is intended.

All the treaties provide that vacancies are to be filled in the same manner as the original appointments are made.

The treaties with Bolivia, Switzerland, Costa Rica, Dominican Republic, Italy, Uruguay, the United States of Brazil, the Argentine Republic, and the Republic of Chile provide that each party, before investigation begins, may withdraw any Commissioner appointed by it and substitute another of its choice. These treaties provide that, before investigation begins, either party may withdraw its consent to the fifth member, in which case the parties are to agree upon a substitute. The treaties with the United States of Brazil, the Argentine Republic, and the Republic of Chile provide that the Swiss Confederation shall select the fifth member if, before investigation begins, one of the two parties withdraws its consent to the fifth member and the two countries cannot agree upon his successor.

Nine of the treaties provide that the Commission shall be organized within four months after exchange of ratifications; seven of the treaties fix the time at six months and four provide that it shall be as soon as possible.

The treaty with Switzerland provides that the Commission shall make its own rules. The treaties with Denmark and Norway provide that the Hague Convention (1907) rules shall govern the Commission unless other rules are agreed upon by the parties.

The first paragraph of Article III of the Salvador treaty reads:

> In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

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This provision for action by the Commission on its own initiative, as well as when action is requested by the parties, is contained in the treaties with Guatemala, Panama, Honduras, Nicaragua, the Netherlands, Bolivia, Persia, the Portuguese Republic, Denmark, Switzerland, Costa Rica, the Dominican Republic, the United States of Venezuela, Norway and Uruguay; in the treaties with Bolivia and Uruguay the action taken by the Commission offering its services must be taken by unanimous agreement.

The treaties with Italy, the United States of Brazil, the Argentine Republic and the Republic of Chile provide for the invocation of the Commission by one or both of the contracting parties, but do not authorize the Commission to take the initiative.

The treaty with the United States of Venezuela provides that "The International Commission may, however, before taking diplomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation."

That sentence, standing alone, might indicate an intention that the Commission should offer its services *before* diplomatic efforts had failed, but when taken in connection with the preceding sentence—

> In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report—

it can not be so construed.

In the treaties with the Netherlands, Bolivia, the Portuguese Republic, Switzerland, Costa Rica, the Dominican Republic, the United States of Venezuela, Norway, Uruguay, the United States of Brazil, the Argentine Republic, and the Republic of Chile the parties agree to furnish the necessary documents and assist the Commission. In the treaty with Italy the parties agree to furnish documents and afford all facilities, provided they do not conflict with the laws or supreme interests of the State or damage the rights or interests of third States.

The second paragraph of Article III of the Salvador treaty reads:

> The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

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All the other treaties likewise provide for a year's investigation, the report to be made at the end of that period, unless the time is extended by agreement. The treaty with the Republic of Chile allows six months more for renewed negotiations to bring about a settlement in view of the findings.

The third paragraph of Article III of the treaty with Salvador reads:

> The High Contracting Parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

All the other treaties contain the same or similar language, the reservation of the right to act independently *after* investigation being necessary because the treaties cover *all* controversies not otherwise provided for.

Article IV of the Salvador treaty reads:

> Pending the investigation and report of the International Commission, the High Contracting Parties agree not to increase their military or naval programs, unless danger from a third Power should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other Contracting Party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

The same provision is embodied in the treaties with Guatemala, Panama, Honduras, Nicaragua and Persia, but this article is not found in any of the other treaties. This provision in regard to the military and naval program was suggested by this Government on the theory that it would be necessary to include some such provision in order to secure the necessary time for investigation, but most of the Governments have preferred to make no reference to the subject and the omission is entirely agreeable to this Government. The Governments which signed the treaties containing this provision would doubtless have signed as willingly had the treaties with them omitted Article IV.

The treaty with Salvador provides in Article V that the convention shall continue for a period of five years and *thereafter remain in force until twelve months after one of the Contracting Parties gives notice to terminate it.* This form is followed in all the other treaties, excepting the treaty with the Republic of Chile, which prescribes for automatic renewal for successive five-year periods.

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In addition to the agreement for investigation in all cases, the treaties with the Republic of Chile and the Dominican Republic contain the provisions embodied in the arbitration treaties which the United States has negotiated with some twenty-six countries, the Dominican Republic and the Republic of Chile not having arbitration treaties previously concluded with the United States.

Appreciating the support which the members of your Committee have given to this plan for the promotion of peace, and hoping for an early ratification of these conventions, I am,

Very truly yours,

W. J. BRYAN.

Secretary Bryan's Peace Plan[1]

As the *Journal* has devoted two editorial comments to Secretary Bryan's peace plan—that is to say, the conventions negotiated by him as Secretary of State with foreign countries, providing for commissions of inquiry to pass upon international disputes which may arise between them—it is not necessary to restate the terms of the treaties or the advantages which are expected to flow from their ratification and application in practice. The *Journal,* however, is pleased to print the following list of countries, chronologically arranged, which have indicated acceptance in principle of the peace plan up to July 24, 1914, furnished by the courtesy of His Excellency the Secretary of State:

1. Italy
2. Great Britain
3. France
4. Brazil
5. Sweden
6. Norway
7. Russia
8. Peru
9. Austria-Hungary
10. Netherlands
11. Bolivia
12. Germany
13. Argentina
14. China
15. Dominican Republic
16. Guatemala
17. Haiti
18. Spain
19. Portugal
20. Belgium
21. Denmark
22. Chile
23. Cuba
24. Costa Rica

[1] Editorial by James Brown Scott in the *American Journal of International Law,* 1914, p. 565.

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25. Salvador
26. Switzerland
27. Paraguay
28. Panama
29. Honduras
30. Nicaragua
31. Persia
32. Ecuador
33. Venezuela
34. Greece

The following is likewise an official list, furnished by the Secretary of State, of countries, chronologically arranged, which have entered into treaties endorsing the principles and details of the peace plan up to July 24, 1914:

1. Salvador ..... August 7, 1913
2. Guatemala ..... September 20, 1913
3. Panama ..... September 20, 1913
4. Honduras ..... November 3, 1913
5. Nicaragua ..... December 17, 1913
6. Netherlands ..... December 18, 1913
7. Bolivia ..... January 22, 1914
8. Portugal ..... February 4, 1914
9. Persia ..... February 4, 1914
10. Denmark ..... February 5, 1914
11. Switzerland ..... February 13, 1914
12. Costa Rica ..... February 13, 1914
13. Dominican Republic ..... February 17, 1914
14. Venezuela ..... March 21, 1914
15. Italy ..... May 5, 1914
16. Norway ..... June 24, 1914
17. Peru ..... July 14, 1914
18. Uruguay ..... July 20, 1914
19. Argentina ..... July 24, 1914
20. Brazil ..... July 24, 1914
21. Chile ..... July 24, 1914

Treaties with France and Great Britain have been agreed upon and will, it is expected, be signed in a few days. It is thus seen that twenty-one treaties have actually been signed, and on July 24, 1914, twenty of these were laid before the Senate for its advice and consent. As the Senate Committee on Foreign Relations has already approved them in principle, it is believed that they will shortly be ready for ratification.

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The treaty with Peru, owing to delay in transmission, will be sent to the Senate later.

The provisions of the treaties differ, although the principle is invariably the same, and through the courtesy of the Secretary of State the *Journal* is enabled to give the text of what Mr. Bryan regards as representative of the entire group, namely, the convention between the Netherlands and the United States of December 18, 1913. The preamble states—and the preamble is true in this case—that the United States and Her Majesty the Queen of the Netherlands are "desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace." It would be a waste of time to comment upon this simple sentence, for since the Jay Treaty of 1794, which introduced arbitration into the modern practice of nations, the United States has been a leader, as well as a pioneer in the peaceful settlement of international disputes, and since the meeting of the First Peace Conference at The Hague in 1899 Holland has been and is the center of international development. It is perhaps not too much to say that the little city of The Hague has become the unofficial capital of the society of nations.

It may be permissible to quote, in support of these views, a passage from an address of Mr. Frederic R. Coudert, introducing His Excellency Mr. Loudon, then Netherland Minister to the United States, but now Minister of Foreign Affairs of his country, who in his present capacity authorized the Netherland Minister to negotiate the treaty in question with the United States:

> There is in Europe one country—I was going to say a little country, but that is not the word, because if bigness consists of high principles, if it consists of altruism, if it consists of spiritual power, if it consists of standing for the right and for fairness among men, then Holland is a great country, and always has been. It was great in the days when the military ideal stood high, and, if I remember rightly, none other than Hollanders were accustomed to carrying brooms at their mastheads in a certain historic channel. But times pass along, and having excelled in the ideals of the Middle Ages, they left them to excel in the ideals of modern times.[1]

But to the treaty. By its first article

> The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which

[1] American Society of International Law, *Proceedings* (1913), pp. 265–266.

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> previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

It is believed that this article defines in the clearest and most unmistakable language the relation of the International Commission for arbitration, for it is expressly stated that diplomatic methods shall have been used to produce agreement and that they have failed; that arbitration is not rejected in favor of a commission, because the disputes to be submitted to it are either those not covered by a treaty of arbitration, or, if included, are not actually arbitrated. That is to say, disputes of whatsoever nature, not included in arbitration treaties, are to be submitted to the Commission, so that the new agency is to supplement the defects or shortcomings of such treaties and to bring to discussion all matters of controversy between the two countries in excess of the obligation assumed in treaties of arbitration.

As will be seen in Article III, the two countries do not confuse the proceedings before the Commission with the consequences of arbitration, because the Commission reports; the arbitral tribunal decides. The contracting parties believe, and it would appear properly, that a report based upon careful investigation is tantamount to a settlement, and it is to be hoped that this belief will be justified by the facts. It will be noted that the concluding clause of Article I provides that war shall not be declared or hostilities begun before the report of the Commission is submitted. While war between the Netherlands and the United States is unthinkable, such an agreement is far from useless. Its very presence is an invitation to other nations, with which war is not unthinkable, to investigate before they fight, or rather to investigate instead of fighting. Its presence in many instruments of this kind will reinforce its influence in this one, and it will be harder in the future than in the past to refuse the reasonable demand of a foreign nation, as did the United States in 1898, to submit a controversy such as the blowing up of the *Maine* to an international commission of inquiry.

The next article deals with the composition of this important body:

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The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. The expenses of the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

In the first place, it is to be observed that the Commission is to be permanent (Article I); that, although each country is to be represented in it by a citizen or subject of its choice, the other members, including the fifth, who may probably be chairman, are to be foreigners, so that control of the national element is excluded; for, say what we will, a citizen or subject remains in international matters a citizen or subject. His presence in a commission of this kind, however, may well be helpful rather than detrimental, because the report, as will be seen in Article III, is not binding upon the Governments. This article is very important, because it contains an obligation on the part of the Governments and vests the Commission with the initiative, if the Governments do not themselves lay the dispute before it. But it will be well to quote the article in full before commenting upon it:

ARTICLE III

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

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> The High Contracting Parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

The first sentence should be construed with Article I, for, standing alone, it might seem that arbitration was to be excluded. By so doing it appears that, if there be no treaty of arbitration covering the dispute, or if the duty to arbitrate has not been complied with, diplomacy is not to drag on interminably, for upon its failure the Governments agree to refer the dispute "at once" for investigation and report. It may happen, however, that one of the Governments may be unwilling to do this and, were it not for the second sentence of Article III, we would have, as it were, a deadlock. This sentence, however, allows the Commission on its own initiative—"spontaneously" is the word in the text—"to offer its services," and the second paragraph of the article apparently binds the contracting parties to furnish the Commission "with all the means and facilities required for its investigation and report" as fully as if the reference were with the consent and upon the motion of the two Governments. There would seem, therefore, to be no escape from arbitration, on the one hand, if a treaty exists, or from the investigation and report of a Commission, whether the Government will or no. Herein lies the great importance of the treaties, for investigation must in many cases amount to settlement; for no nation, however powerful, can in the long run withstand public opinion, and public opinion will no doubt be created by this article.

It will be observed that the provision found in some of the treaties not to declare war and begin hostilities within a year, absent in express terms from this treaty, is nevertheless read into it indirectly, for the Commission has, by Article III, a year after the beginning of its investigation to prepare its report. The advantage of such a provision is too evident to need comment, and its application to the *Maine* incident will no doubt suggest itself, even to the casual reader.

The concluding paragraph of Article III is hardly less important than the power of the Commission to act spontaneously—that is, on its own initiative—and this although it does not attach any obligation on the part of the Governments to put into effect the conclusions of the report. Indeed, this seeming defect is its crowning glory, for we know from every-day experience how unwilling we are to do that which we are bound to do, and how often we do voluntarily what we do not

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need to do. There is no escape from the investigation, for, if the Governments are recalcitrant, the Commission itself may step in, and it is interesting to note that in public documents "may" is not permissive, but mandatory. If therefore the case is before the Commission, and its submission does not depend upon the two Governments or upon their national representatives, for they are a minority of two in a body of five, a report is inevitable, supposing that the foreign members are set upon a report, and it is believed that compliance with the report is inevitable, because of the pressure of public opinion which will be in this case enlightened.

For the sake of completeness Article IV is quoted, although the last two paragraphs of it deal with its signature:

ARTICLE IV

> The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by Her Majesty the Queen of the Netherlands; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.
>
> In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.
>
> Done in Washington on the eighteenth day of December, in the year of our Lord nineteen hundred and thirteen.

The treaty, it will be noted, is concluded for a period of five years, but in reality it is for six years, as it remains in force for a twelvemonth after one or the other party may have given notice of an intention to terminate it.

From this brief analysis of the convention, it is evident that it does not interfere with any existing agency of peace, because the nations are always free, through the channels of diplomacy, to adjust their disputes by direct negotiations or by some other means, if they so desire. Arbitration is expressly reserved, so that the present treaty supplements, but does not modify, a duty to arbitrate. It does bind the nations, however, to submit their other disputes without reservation to the investigation and report of a permanent Commission, which can act upon their mutual request, or indeed without their request, and

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Mr. Bryan is to be congratulated upon having secured the discussion of all disputes between the contracting parties, not otherwise provided for, by the apparently simple yet effective device of an investigation and report, which is believed to be tantamount to settlement.

The Bryan Peace Treaties[1]

We are printing in the Supplement to this number of the *Journal* the complete English texts of the treaties negotiated by former Secretary of State Bryan for the purpose of advancing the cause of general peace, the ratifications of which have been exchanged up to the present time (October 1, 1916), namely, the treaties with Bolivia, Chile, China, Costa Rica, Denmark, Ecuador, France, Great Britain, Guatemala, Honduras, Italy, Norway, Paraguay, Peru, Portugal, Russia, Spain, Sweden and Uruguay. All of these treaties are based upon the same principle, namely, that disputes which the high contracting parties are unable to adjust by diplomacy or arbitration shall be referred to a commission for investigation and report and that hostilities may not be resorted to in the meantime. Several formulas for stating and applying these principles were adopted from time to time, and the later treaties present a combination of two or more of the different drafts used. It is believed that it will be of interest to the readers of the *Journal* to classify the provisions of the treaties so as to show the different forms used with respect to the various countries.

Jurisdictional clauses

Four variations of phraseology have been used to express the kind of disputes which the high contracting parties agree to refer for investigation and report to the permanent international commissions. They are, with the countries using them, as follows:

> All disputes of every nature whatsoever to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact.
>
> Bolivia, Costa Rica, Ecuador, Great Britain, Peru, Portugal and Uruguay.

[1] Editorial by George A. Finch in the *American Journal of International Law*, 1916, p. 882.

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All disputes of every nature whatsoever which diplomacy shall fail to adjust.

Chile, Denmark, Guatemala, Honduras, Paraguay and Russia.

Any disputes of whatever nature they may be when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to arbitration.

China, France, Italy, Spain and Sweden.

All disputes of every nature whatsoever, provided the treaties in force do not prescribe settlement by arbitration.

Norway.

Postponement of hostilities

The treaties contain substantially the same provision on this point, namely, an agreement not to declare war or begin hostilities during the investigation of the commission and before its report is submitted. A slight modification is made in the treaty with Chile, which adds to this paragraph a clause reading "nor before all resources stipulated in this treaty have proved unsuccessful." This clause contemplates the submission of the case to the Hague Court of Arbitration. (See heading *Action after receipt of report.*)

Composition of the commission

All of the treaties provide that the commission of investigation shall be composed of five members. The manner of their appointment is most frequently governed as follows:

One member shall be chosen from each contracting country by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country.

Bolivia, Costa Rica, Denmark, Great Britain, Guatemala, Honduras, Italy, Paraguay, Peru, Portugal and Uruguay.

The same formula is used by Chile, but with an additional stipulation that the fifth member shall not belong to any nationality already represented on the commission, and that he shall be its president.

The same formula is likewise used by Ecuador, but with this proviso, that in case of dispute regarding the selection of the fifth member, who shall be president of the commission, the two Governments shall re-

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quest the President of the Swiss Confederation to choose such member.

The treaties with China, France, Spain and Sweden use the original formula together with the addition made in the case of Chile, and add the following clause:

> In case the two Governments shall be unable to agree on the choice of the fifth Commissioner, the other four shall be called upon to designate him, and failing an understanding between them, the provisions of Article 45 of the Hague Convention of 1907 shall be applied.

Norway uses the original formula and adds that if an agreement is not reached as to the appointment of the fifth member, he shall be chosen according to the rules laid down in Article 87 of the Hague Convention of 1907 for the peaceful settlement of international disputes.

A shorter formula is provided in the treaty with Russia, under which each Government designates two members (without reference to nationality) and the fifth is designated by common consent, it being stipulated that he shall not belong to any of the nationalities already represented on the commission, and that he shall be its president.

In the British treaty a special provision was inserted to allow the substitution upon the commission of a person to be named by a self-governing dominion in case the dispute mainly affects the interest of such dominion.

Removal of commissioners

The treaties with Bolivia, Costa Rica, Peru and Uruguay provide that each of the contracting parties shall have the right to remove at any time before investigation begins any commissioner selected by it and to name his successor, and under the same conditions shall also have the right to withdraw its approval of the fifth commissioner selected jointly, in which case a new commissioner shall be selected jointly as in the original selection.

The treaties with Chile and Ecuador vary this clause by providing that each Government shall have the right to remove at any time before investigation begins any commissioner or commissioners selected by it, but must appoint his or their successors at the time of revoking the appointment. Either Government shall have the right to withdraw its approval of the fifth member, in which case his successor must be appointed by common agreement within thirty days and, lacking such

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agreement, the appointment will be made by the President of the Swiss Confederation.

The treaty with Italy makes another variation by providing that each of the contracting parties shall have the right before the investigation has begun to substitute for one of the members of the commission appointed by it another person chosen from the category to which the commissioner to be replaced belonged.

The other treaties contain no provision on this point.

Expenses

The stipulation on this point is generally that the expenses of the commission shall be paid by the two Governments in equal proportion: Chile, Denmark, Ecuador, Great Britain, Guatemala, Honduras, Norway, Paraguay, Portugal and Russia.

Some of the treaties contain, in addition, a stipulation that when the commissioners are actually employed they shall receive such compensation as may be agreed upon by the contracting parties:

Bolivia, Costa Rica, Italy, Peru and Uruguay.

In still other cases the stipulation varies by providing that the contracting parties, before designating the commissioners, shall reach an understanding in regard to their compensation and that each Government shall bear half of the expenses of the commission:

China, France, Spain and Sweden.

Period for appointment of commissioners

Three different periods are used:

As soon as possible after the exchange of ratifications of the treaty:

Bolivia, Costa Rica, Peru and Uruguay.

Within four months after the exchange of ratifications:

Chile, Denmark, Guatemala, Honduras, Norway and Paraguay.

Within six months after the exchange of ratifications:

China, Ecuador, France, Great Britain, Italy, Portugal, Russia, Spain and Sweden.

Vacancies

All of the treaties provide that vacancies shall be filled according to the manner of the original appointment. Those treaties which make

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provision for the removal of commissioners contain special provisions for appointing their successors, as above indicated, and such vacancies are excluded in these treaties from the operation of the general provision regarding other vacancies.

The treaty with Ecuador contains the stipulation that general vacancies shall be filled within fifteen days after the receipt of notice of the vacancy.

Date of organization of the commission

Only the treaties with Chile and Ecuador provide that the date of the organization of the commission shall be notified to the contracting Governments.

Tenure of office of the commissioners

Most of the treaties make no reference to the tenure of office of the commissioners, it apparently being understood that their term of office is indefinite.

The treaties with China, France, Russia, Spain, and Sweden, however, contain the following provision:

> The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work in which they are engaged at the time their office expires is completed.

The treaty with Italy contains the following provision:

> Each Commissioner shall hold his place during a term of four years; at the expiration of this term, or in the event of vacancy, the confirmation or the substitution of the Commissioner whose term may have expired or whose place may be vacant shall be made in the same manner.

Procedure

The procedure of the commission is not always provided for in the treaties. The treaties with Denmark and Norway provide that, unless otherwise agreed upon, the procedure shall be regulated by the provisions of Chapter III of the Hague Convention of 1907 for the peaceful settlement of international disputes.

The following provision regarding procedure is contained in the treaties with China, France, Russia, Spain, and Sweden: "The commission shall as far as possible be guided by the provisions contained in Articles 9 to 36 of Convention I of The Hague of 1907."

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The treaties with Chile, Ecuador and Italy provide that, in the absence of an agreement to the contrary, the commission shall adopt its own regulations regarding procedure.

Method of referring disputes to commission

The treaties usually contain an apparently simple provision that the dispute shall be referred to the international commission by the contracting parties:

Bolivia, Costa Rica, Denmark, Great Britain, Guatemala, Honduras, Norway, Paraguay, Peru, Portugal, Sweden, and Uruguay.

The treaties with Chile and Ecuador provide that the reference may be made by either of the two Governments.

The treaty with Italy provides that the reference may be made either by common agreement of the two Governments, or by either of them.

A more detailed article on this point is contained in the treaties with China, France, Russia, and Spain, which provides that each party shall have a right to ask that the investigation be entrusted to the commission. Notice shall be given to the president of the commission, who shall at once communicate with his colleagues.

Jurisdiction assumed by commission

Four different formulas have been used to frame such a provision:

> The International Commission may, by unanimous agreement, spontaneously offer its services, and in such a case it shall notify both Governments and request their cooperation in the investigation.
>
> Bolivia, Costa Rica, Great Britain, Peru, and Uruguay.

> The International Commission may act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.
>
> Denmark, Guatemala, Honduras, Norway, Paraguay, and Portugal.

> The President of the Commission may, after consulting his colleagues and upon receiving the consent of the majority of the members of the Commission, offer the services of the latter to each of the Contracting Parties. Acceptance of that offer by one

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of the two Governments shall be sufficient to give jurisdiction of the case to the Commission.

China, France and Spain.

The President of the Commission, by a note addressed to the International Bureau of the Permanent Court at The Hague, which shall be communicated without delay to both Governments, may remind the parties that the services of the Commission are at their disposal.

Sweden.

Place of meeting

The place of meeting of the commission is provided for in five of the treaties and they stipulate that it shall be determined by the commission itself.

Chile, China, Ecuador, France and Spain.

Formulation of the question at issue

This point is covered only in the treaties with China, France, Spain and Sweden, which contain the uniform clause that,

Each Contracting Party shall have a right to state to the President of the Commission what is the subject-matter of the controversy. No difference in these statements, which shall be furnished by way of suggestion, shall arrest the action of the Commission.

Measures pending submission of report

A provision of this kind is contained in only three treaties, those with China, France and Sweden, which provide that,

In case the cause of the dispute should consist of certain acts already committed or about to be committed, the commission shall as soon as possible indicate what measures to preserve the rights of each party ought in its opinion to be taken provisionally and pending the delivery of its report.

Facilities for investigation to be afforded to commission

All of the treaties are uniform in providing that the contracting parties shall furnish the commission with the means and facilities required for its investigation and report. The treaty with Italy adds: "provided that in their judgment this does not conflict with the laws or with the supreme interests of the State, and provided that the interests and rights of third States shall not thereby suffer damage."

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Time allowed for submission of report

The treaties usually provide that the report of the commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall limit or extend the time by mutual agreement:

Bolivia, Costa Rica, Great Britain, Italy, Norway, Peru, Portugal, and Uruguay.

The same provision is contained in the following treaties, except that the period of one year may be only extended and not limited: Chile, Denmark, Guatemala, Honduras and Paraguay.

The following treaties provide for a period of one year, unless a different period is agreed upon:

China, France, Russia, Spain, and Sweden.

The treaty with Ecuador also provides for a period of one year, but adds that this period may be extended for an additional six months if, for reasons of *force majeure*, it is not possible for the commission to complete its investigation and submit its report within one year.

Vote necessary for agreement on report by commission

Most of the treaties are silent on this point, but the following provision is contained in the treaties with China, France, Russia, Spain, and Sweden:

> The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

The treaty with Chile contains the following provision: "The resolutions of the Commission, as well as its final report, will be adopted by the majority of its members."

Action after receipt of report

The usual stipulation on this point is as follows:

> The High Contracting Parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

Bolivia, Costa Rica, Great Britain, Guatemala, Honduras, Italy, Paraguay, Peru, Portugal, and Uruguay.

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The treaty with Ecuador has the same provision, but adds that such action may be taken also if no report is submitted within the time fixed.

The treaties with Denmark and Norway contain the usual formula, but provide that upon the receipt of the report the parties shall endeavor to adjust the dispute directly on the basis of the findings of the commission.

Another form of expression on this point is as follows: "The High Contracting Parties reserve full liberty as to the action to be taken on the report of the Commission:"

China, France, Russia, Spain, and Sweden.

The treaty with Chile contains a special provision not found in any of the other treaties, as follows:

> Once the report is in possession of both Governments, six months' time will be available for renewed negotiation in order to bring about a settlement of the difficulty in view of the findings of said report; and if even during this new term both Governments should be unable to reach a friendly arrangement, the dispute will then be submitted to the Permanent Court of Arbitration established at The Hague.

A proviso is added, excluding from arbitration "any question that may affect the independence, the honor or the vital interests of either or both of the countries, or the provisions of their respective constitutions, or the interests of a third nation." Another paragraph provides that in case arbitration is resorted to, a special agreement shall be previously agreed upon specifying the matter in controversy, the extent of the arbiter's powers, and the length of time to which the court of arbitration must subject its organization and procedure, including the presentation of memorials, proofs and pleas.

Duration of the treaties

A common provision is to the effect that the treaty shall remain in force for five years, dating from the exchange of ratifications, and remain in force thereafter until twelve months after one of the contracting parties shall have given notice to the other of an intention to terminate it:

Bolivia, Costa Rica, Denmark, Great Britain, Guatemala, Italy, Honduras, Norway, Paraguay, Peru, Portugal, and Uruguay.

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A like provision is contained in the following treaties, except that it is stipulated that the denouncement of the treaty after the five-year period must, in order to be effective, take place at least six months before the expiration of that period:

China, France, Russia, Spain.

The treaty with Ecuador provides that it shall remain in force for five years and that unless notice to terminate it is given one year before the expiration of that period, it shall be considered as renewed for another year, and so on successively.

The treaty with Sweden provides for a five-year period and for renewals for additional periods of five years, unless denounced at least six months before the expiration of such period.

The treaty with Chile provides that it shall remain in force for five years, and for successive periods of five years until one of the high contracting parties shall have given notice of its intention to terminate it.

As stated at the outset, the above data applies only to the treaties which have become effective at the date of the present writing. Supplementary notes of this character will be inserted in these columns as additional treaties go into effect.

GEORGE A. FINCH.

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Part I

Perfected Treaties

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Treaty between the United States and Bolivia for the Advancement of Peace[1]

The United States of America and the Republic of Bolivia, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

The President of Bolivia, Señor Don Ignacio Calderon, Envoy Extraordinary and Minister Plenipotentiary of Bolivia to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

Contracting Powers.

Los Estados Unidos de América y la República de Bolivia con el deseo de fortalecer los vínculos de amistad que los unen y á la vez cimentar el espíritu de paz universal han resuelto celebrar un Tratado con tal objeto y para ese fin han nombrado como sus Plenipotenciarios:

Plenipotentiaries.

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y

El Presidente de Bolivia, al Señor Don Ignacio Calderon, Enviado Extraordinario y Ministro Plenipotenciario en los Estados Unidos;

Quienes, después de examinados sus respectivos Plenos Poderes, y encontrandolos en debida forma, han convenido en los artículos siguientes:

Article I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or

Artículo I

Las Altas Partes contratantes acuerdan que todas las desavenencias de cualquiera naturaleza que ellas sean y que en el hecho ó por los terminos de tratados de

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1868. Signed at Washington, January 22, 1914; ratification advised by the Senate, August 13, 1914; ratified by Bolivia, November 14, 1914; ratified by the President, January 4, 1915; ratifications exchanged at Washington, January 8, 1915; proclaimed, January 9, 1915.

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agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

arbitraje existentes no esten comprendidas en sus estipulaciones, y que no hayan podido arreglarse por la via diplomática serán sometidas para su investigación é informe á una Comisión Internacional constituida en la manera prescrita en el siguiente artículo; y convienen en no declararse la guerra ó empezar hostilidades durante el período de la investigación y antes de sometido el informe.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. Each of the High Contracting Parties shall have the right to remove, at any time before investigation begins, any Commissioner selected by it and to name his successor, and under the same conditions shall also have the right to withdraw its approval of the fifth Commissioner selected jointly; in which case a new Commissioner shall be selected jointly as in the original

ARTÍCULO II

La Comisión Internacional se compondrá de cinco miembros, nombrados como sigue: un miembro sera escogido dentro del país, por su respectivo Gobierno; otro miembro será escogido por cada Gobierno, de un tercer país; el quinto miembro sera escogido de común acuerdo por los dos Gobiernos; siendo entendido que no podrá serlo ningún ciudadano de uno de los dos paises interesados. Cada una de las Altas Partes contratantes se reserva el derecho de separar, antes que hayan comenzado las investigaciones, el comisionado que cada uno hubiese elejido y en tal caso se procederá á nombrar su reemplazante. Bajo la misma condición podrá cualquiera de las Partes contratantes retirar su aceptación del quinto comisionado elejido conjuntamente y en este caso se procederá á

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selection. The Commissioners shall, when actually employed in the investigation of a dispute, receive such compensation as shall be agreed upon by the High Contracting Parties. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Compensation.

Expenses.

The International Commission shall be appointed as soon as possible after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

Appointment.

una nueva elección en la forma ya establecida. Los comisionados recibirán la compensación que acuerden las Altas Partes contratantes tan sólo durante el tiempo que se ocupen de la investigación. Los gastos de la Comisión serán atendidos por mitad por los Gobiernos contratantes.

La Comisión Internacional será nombrada en el más corto plazo después del canje de las ratificaciones del Tratado; y las vacantes que ocurriesen serán llenadas según lo acordado por el nombramiento original.

Article III

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, by unanimous agreement spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

Duties of Commission.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

Facilities for investigation.

The report of the International

Time for report.

Artículo III

En el caso de que no haya sido posible el arreglo de una cuestión entre las Altas Partes contratantes por los medios diplomáticos está será referida inmediatamente á la Comisión Internacional para su investigación é informe. La Comisión Internacional podrá tambien por consentimiento unánime y por iniciativa propia intervenir y en tal caso deberá hacerlo saber á ambos Gobiernos y pedir su cooperación para la investigación.

Las Altas Partes contratantes convienen en subministrar á la Comisión Permanente Internacional todos los medios y facilidades que demande para la investigación é informe.

El informe de la Comisión In-

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Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Independent action reserved.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

ternacional deberá estar listo dentro de un año contado desde la fecha que haya designado para empezar la investigación á menos que las Altas Partes contratantes restringieran ó extendieran el tiempo por mutuo consentimiento. El informe debe ser preparado por triplicado; una copia para ser entregada á cada Gobierno, y la tercera retenida por la Comisión para su archivo.

Las Altas Partes contratantes se reservan el derecho de obrar independientemente en el asunto en disputa después que el informe de la Comisión se les haya sometido.

Article IV

Exchange of ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of Bolivia, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

Duration.

Artículo IV

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Presidente de la República de Bolivia, con la aprobación del Congreso, y las ratificaciones deberán ser canjeadas tan pronto como fuere posible. Producirá sus efectos el presente tratado inmediatamente después del canje de ratificaciones y continuará en vigor por cinco años, y sera obligatorio después por doce meses contados desde que una de las Altas Partes contratantes haya comunicado á la otra su intencion de terminarlo.

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In witnesss whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 22d day of January, in the year of our Lord nineteen hundred and fourteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pie sus sellos. Signatures.

Hecho en Washington, el día 22 de Enero, en el año de Nuestro Señor mil novecientos catorce.

WILLIAM JENNINGS BRYAN [SEAL]
IGNACIO CALDERON [SEAL]

Treaty between the United States and Brazil for the Advancement of General Peace[1]

The Governments of the United States of America and of Brazil being desirous of giving another manifestation of the old friendship that binds the two countries together, and being united in the purpose of promoting the progress of civilization through peace, have resolved to enter into a special treaty for the amicable settlement of any future difficulties which may arise between the two countries, and for that purpose have appointed as their Plenipotentiaries:

Os Governos dos Estados Unidos da America e dos Estados Unidos do Brasil, desejosos de mais uma vez manifestar a antiga amizade que liga os dous paizes e juntando-se com o proposito de promover o progresso da civilização pela paz, resolveram celebrar um tratado especial para o arranjo amigavel de qual quer difficuldade que no futuro possa suscitar-se entre ambos e para esse fim nomearam como seus Plenipotenciarios Contracting Powers.

The President of the United States of America, Mr. William Jennings Bryan, Secretary of State; and

O Presidente dos Estados Unidos da America o Senhor William Jennings Bryan, Secretario de Estado; e Plenipotentiaries.

The President of the United

O Presidente dos Estados Uni-

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1698. Signed at Washington, July 24, 1914; ratification advised by the Senate, August 13, 1914; ratified by the President, November 22, 1915; ratified by Brazil, June 22, 1916; ratifications exchanged at Washington, October 28, 1916; proclaimed, October 30, 1916.

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States of Brazil, Mr. Domicio da Gama, Ambassador Extraordinary and Plenipotentiary;

Who, duly authorized, have agreed upon the following articles:

dos do Brasil o Senhor Domicio da Gama, Embaixador Extraordinario e Plenipotenciario;

Os quaes, devidamente autorizados, accordaram nos seguintes artigos:

ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The Two High Contracting Parties agree to submit to a Permanent International Commission, for investigation and report, all disputes that may arise between them concerning questions of an international character which can not be solved by direct diplomatic negotiation, and which are not embraced by the terms of any treaty of arbitration in force between them; and they agree not to declare war or to begin hostilities pending the investigation and report of said Commission.

ARTIGO I

As duas Altas Partes Contractantes assentam em submetter á investigação de uma Commissão Permanente, que sobre ellas dará parecer, todas as difficuldades de caracter internacional que surjam entre ellas e não possam ser directamente resolvidas por via diplomatica nem caibam nos termos da Convenção de Arbitramento vigente entre ambas; e accordam em não declarar guerra uma á outra nem começar hostilidades emquanto não fôr apresentado o resultado d'essa investigação.

ARTICLE II

International Commission. Composition.

The Commission mentioned in the preceding Article shall be composed of five members each appointed for five years, as follows: Each Government shall designate two members, only one of whom shall be of its own nationality. The fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented in the Commission.

ARTIGO II

A Commissão acima mencionada se comporá de cinco miembros, cada um d'elles nomeado por cinco annos, da seguinte maneira: cada Governo designará dous membros, sendo sómente um d'elles nacional do paiz que o momeia. O quinto será escolhido de commum accordo entre os dous Governos, entendendo-se que não pertencerá a nenhuma das nacionalidades já representadas na Commissão.

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The fifth member shall perform the duties of President.

Esse quinto membro exercerá as funcções de Presidente. President.

Either Contracting Party may remove at any time, before investigation begins, any commissioner selected by it, appointing his successor on the same occasion. Likewise, each Government shall also have the right to withdraw its approval of the fifth member; in which case the new fifth member will be appointed within thirty days following the notification of the withdrawal, by common agreement between the two Governments, and failing this agreement, the President of the Swiss Confederation shall be requested to make the appointment.

Cada uma das Partes Contractantes poderá remover em qualquer tempo, antes que comece a investigação, qualquer Commissario que tiver nomeado, apresentando o seu successor na mesma occasião. Outrosim terá cada Governo o direito de negar seu accordo ao quinto membro; isso succedendo, o novo quinto membro será nomeado dentro de trinta dias a contar da notificação, por accordo entre os dous Governos; e não podendo haver accordo, o Presidente da Confederação Suissa será convidado a fazer a nomeação. Substitution of Commissioners.

The expenses of the Commission shall be paid by the two Governments in equal proportions.

As despezas da Commissão serão pagas por metade por ambos os Governos. Expenses.

The Commission shall be constituted and shall be ready for business within six months after the exchange of ratifications of the present treaty.

A Commissão será constituida e se achará prompta a funccionar dentro de seis mezes depois da troca de ratificações do presente tratado. Organization.

At the expiration of each period of five years, the Commissioners may be reappointed or others may be substituted for them.

Ao cabo de cada periodo de cinco annos os Commissarios serão reconduzidos ou outros os substituirão. Reappointment, etc.

Any vacancy shall be filled in the same manner as the original appointment.

As vagas serão preenchidas do mesmo modo que as nomeações primitivas. Vacancies.

The Commission shall make its own rules of procedure.

A Commissão formulará suas proprias regras de processo. Procedure.

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ARTICLE III

Duties of Commission.

In the case of failure to agree upon the diplomatic solution of a dispute concerning a question of an international character, the Two High Contracting Parties shall submit it to said Commission for investigation and report. The convocation of the Commission may be made by either Contracting Government. The Commission shall by preference sit in the country in which there are the greater facilities for the study of the question, and the High Contracting Parties shall furnish all the means to that end. The report of the Commission shall be presented within a year counted from the date at which the Commission shall declare that its work is begun, unless a prolongation of the time shall be accorded by both Parties. This report, which is purely advisory and does not bind the Contracting Parties as to the question at issue, shall be prepared in triplicate, each Government being furnished with a copy and the third kept in the files of the Commission.

Meetings.

Time for report.

Triplicate reports.

ARTIGO III

Caso não cheguem a accordo quanto á solução diplomatica de alguma questão de caracter internacional, as duas Altas Partes Contractantes a submetterão á dita Commissão, para que investigue o dê parecer.

A Commissão póde ser convocada por qualquer das Partes Contractantes e funccionará de preferencia no paiz em que se lhe offereçam mais facilidades para o estudo da questão, para cujo fim as Altas Partes Contractantes fornecerão todos os meios.

O parecer da Commissão será apresentado dentro de um anno a contar da data em que a Commissão declarar que começou seus trabalhos, salvo prorogação accordada pelas duas Partes.

Este parecer, que é puramente consultivo e não obriga as Partes Contractantes quanto ao assumpto em questão, será preparado em triplicata, cada um dos Governos recebendo um exemplar e sendo o terceiro guardado no archivo da Commissão.

ARTICLE IV

Submission to arbitration.

After presentation of the report to both Governments six months' time will be given to renewed negotiations in order to bring about a solution of the question in view of the findings of said

ARTIGO IV

Apresentado o parecer a ambos os Governos, estes terão seis mezes para negociar um arranjo de accordo com o dito parecer e, se ao cabo d'este novo termo não conseguirem entender-se, submet-

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report; and if after this new term both Governments should be unable to reach a friendly arrangement, they will proceed to submit the dispute to arbitration under the terms of the Convention in force between them, if such convention covers the question or questions investigated.

terão o litigio a arbitramento, em conformidade com os termos da Convenção vigente entre ambos, se couber nella a questão considerada.

ARTICLE V

The present treaty shall be ratified by the Two High Contracting Parties according to their national Constitutions, and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications and shall continue in force for a period of five years, and it shall thereafter remain in force until twelve months after one of the two High Contracting Parties have given notice to the other of an intention to terminate it.

Exchange of ratifications.

Duration.

The strict and honest fulfillment of the foregoing clauses is intrusted to the honor of the signatory nations.

Compliance.

In witness whereof, the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington, on the 24th day of July, in the year nineteen hundred and fourteen.

Signatures.

WILLIAM JENNINGS BRYAN [SEAL]
DOMICIO DA GAMA [SEAL]

ARTIGO V

O presente tratado será ratificado pelas duas Altas Partes Contractantes, na forma prescripta pelas Constituições nacionaes, e as ratificações serão trocadas no mais breve prazo. O tratado entrará em vigor logo depois dessa troca e continuará por um periodo de cinco annos, findo o qual vigorará até doze mezes depois que uma das duas Altas Partes Contractantes tiver annunciado á outra a sua intenção de o terminar.

O estricto e leal cumprimento das clausulas precedentes é confiado á honra das nações signatarias.

Em testemunho de que os respectivos Plenipotenciarios assignaram o presente tratado ao qual appuzeram os seus selos.

Feito na cidade de Washington, no dia 24 do mez de julho do anno de mil novecentos e quatorze.

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Treaty between the United States and Chile for the Advancement of General Peace[1]

Treaty for the Settlement of disputes that may occur between the United States of America and Chile.

Contracting Powers.

The President of the United States of America and the President of the Republic of Chile being desirous to secure in the most effective way the amicable settlement of any future difficulties between both countries and the subsequent maintenance of peace and good amity between them, have resolved to enter into a special treaty for that purpose, and to that end have appointed their Plenipotentiaries as follows:

The President of the United States of America, His Excellency William Jennings Bryan, Secretary of State of the United States; and

Plenipotentiaries.

The President of the Republic of Chile, His Excellency Eduardo Suárez Mujica, Envoy Extraordinary and Minister Plenipotentiary of Chile to the United States of America;

Who, after having communicated to each other their respective full powers, found to be in

Tratado para la Solución de las Dificultades que surgieren entre los Estados Unidos de América y Chile.

El Presidente de los Estados Unidos de América y el Presidente de la República de Chile, deseosos de proveer de la manera más eficaz al arreglo amistoso de cualquiera futura dificultad entre ambos países y de asegurar mejor el mantenimiento de la paz y buena amistad entre ellos, han resuelto concluir un tratado especial con tales fines, y han nombrado al efecto sus Plenipotenciarios, a saber:

El Presidente de los Estados Unidos de América, a su Excelencia William Jennings Bryan, Secretario de Estado de los Estados Unidos; y

El Presidente de la República de Chile, a Su Excelencia Eduardo Suárez Mujica, Enviado Extraordinario y Ministro Plenipotenciario de Chile en los Estados Unidos de América;

Los cuales, después de haberse comunicado sus respectivos plenos poderes y encontrádolos en buena

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1645. Signed at Washington July 24, 1914; ratification advised by the Senate, August 20, 1914; ratified by the President, November 11, 1915; ratified by Chile, November 9, 1915; ratifications exchanged at Washington, January 19, 1916; proclaimed, January 22, 1916.

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proper and due form, have agreed upon and concluded the following articles:

ARTICLE I

The High Contracting Parties agree that all disputes that may arise in the future between them, shall, when diplomatic methods of adjustment have failed, be submitted for investigation and report to an International Commission to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation, nor before all resources stipulated in this treaty have proved unsuccessful.

ARTICLE II

The International Commission shall be composed of five members, to be appointed as follows:—Each Government shall designate two members, only one of whom shall be of its own nationality. The fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented on the Commission. The fifth member shall perform the duties of President.

Each of the High Contracting Parties shall have the right to re-

y debida forma, han convenido en los artículos siguientes:

ARTÍCULO I

Disputes to be submitted to International Commission for investigation and report.

Las Altas Partes Contratantes convienen en que todas las cuestiones que en lo futuro se susciten entre ellas, y que no hubieren podido arreglarse por la vía diplomática, sean sometidas para su investigación é informe á una Comisión Internacional constituida de la manera que se indica en el artículo siguiente; y se comprometen a no declararse la guerra ó iniciar hostilidades durante el período de investigación y antes de agotados todos los resortes que se estipulan en el presente tratado.

ARTÍCULO II.

International Commission. Composition.

La Comisión Internacional se compondrá de cinco miembros, nombrados en esta forma:—Cada Gobierno elegirá dos miembros, de los cuales solo uno podrá ser de su propia nacionalidad. El quinto miembro será elegido de común acuerdo por ambos Gobiernos, no pudiendo recaer la designación en ciudadano de ninguna de las nacionalidades ya representadas en la Comisión. El quinto miembro desempeñará las funciones de Presidente.

New commissioners.

Cada una de las Altas Partes Contratantes tendrá el derecho

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move, at any time before investigation begins, any Commissioner selected by it and, conjointly, the nomination of the successor, or successors, must be enacted. Likewise, either Government shall also have the right to withdraw its approval of the fifth member; in which case the new fifth member will be appointed within thirty days following the notification of the withdrawal, by common agreement between the two Governments, and such agreement lacking, the appointment will be made by the President of the Swiss Confederation.

Vacancies.

The vacancies that may occur through other causes than those already named, will be filled as mentioned in this article.

Appointment.

The International Commission shall be constituted within the four months following the exchange of the ratifications of this treaty, and shall notify both Governments of the date of its organization. The Commission will establish its own regulations. The resolutions of the Commission, as well as its final report, will be adopted by the majority of its members.

Expenses.

The expenses of the Commission shall be paid by the two Contracting Governments in equal proportion.

de revocar, antes de que se haya iniciado la investigación, el nombramiento de cualquiera de los miembros que le hubiere correspondido designar, y en el mismo acto de la revocación deberá proveer al reemplazo del ó de los miembros separados. Podrá igualmente cualquiera de los dos Gobiernos retirar su aceptación del quinto miembro, y en tal caso se designará al reemplazante dentro de los treinta días siguientes a la notificación de la revocatoria, de común acuerdo entre ambos Gobiernos, y en defecto de este acuerdo la designación se hará por el Presidente de la Confederación Suiza.

Las vacantes por causas diversas de las enumeradas se llenarán, respectivamente, en la forma establecida en este artículo.

La Comisión Internacional deberá constituirse dentro de los cuatro meses siguientes al canje de las ratificaciones de este tratado, y dará cuenta a ambos Gobiernos de la fecha de su instalación. La Comisión establecerá por sí misma las reglas de su procedimiento. Las decisiones de la Comisión, lo mismo que su informe final, serán acordados por la mayoría de sus miembros.

Los gastos de la Comisión serán sufragados por mitad entre los dos Gobiernos Contratantes.

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The Commission shall determine the country wherein it will sit, taking into consideration the greater facilities for the investigation.

Place of meeting.

La Comisión determinará el país en que deba funcionar, tomando en cuenta las mayores facilidades de investigación.

ARTICLE III

In case that, as established in Article I, the High Contracting Parties shall have failed to adjust the difficulty by diplomatic methods, said difficulty will be immediately submitted to the International Commission for its investigation and report. The convocation of said Commission may be made by either contracting Government.

Duties of Commission.

ARTÍCULO III

Producido el caso contemplado en el artículo I, de que las Altas Partes Contratantes no hubieran podido solucionar su dificultad por la vía diplomática, ésta será sometida inmediatamente a la Comisión Internacional para su investigación é informe. La convocatoria de la Comisión podrá hacerse por cualquiera de los dos Gobiernos contratantes.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

Facilities for investigation.

Las Altas Partes Contratantes se obligan a suministrar a la Comisión Internacional todas las facilidades que sean necesarias para la investigación é informe.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall extend the time by mutual agreement. The report shall be prepared in triplicate: one copy shall be presented to each Government and the third retained by the Commission for its files.

Report.

El informe de la Comisión Internacional será evacuado dentro del término de un año, a contar desde el día que ella hubiere designado para empezar la investigación. Este plazo podrá ser prorrogado por acuerdo de ambos Gobiernos Contratantes. El informe se extenderá por triplicado: un ejemplar será entregado a cada uno de los dos Gobiernos contratantes, y el tercero mantenido en el archivo de la Comisión.

ARTICLE IV

Once the report in possession of both Governments, six months'

ARTÍCULO IV

Additional time for renewed negotiations.

Transmitido el informe de la Comisión a los dos Gobiernos Con-

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time will be available for renewed negotiation in order to bring about a settlement of the difficulty in view of the findings of said report; and if even during this new term both Governments should be unable to reach a friendly arrangement, the dispute will then be submitted to the Permanent Court of Arbitration established at The Hague.

Questions not to be submitted.

Notwithstanding, any question that may affect the independence, the honor or the vital interests of either or both of the countries, or the provisions of their respective Constitutions, or the interests of a third nation, will not be submitted to such or any other arbitration.

Special convention to determine details.

A special and previously agreed convention will detail, if arbitration is resorted to, the matter of the controversy, the extent of the Arbiters' powers, and the length of time to which the Court of Arbitration must subject its organization and procedure, including the presentation of memorials, proofs, and pleas.

tratantes, éstos dispondrán de un término de seis meses para procurar nuevamente el arreglo de la dificultad en vista de las conclusiones del mencionado informe; y si durante este nuevo plazo los dos Gobiernos no pudieren todavía llegar a una solución amistosa, se someterá la cuestión a la Corte Permanente de Arbitraje de La Haya.

No será, sin embargo, sometida a arbitraje ninguna cuestión que pueda afectar a la soberanía, honor ó intereses vitales de cualquiera de los dos países, a las disposiciones de sus respectivas cartas fundamentales ó a los intereses de una tercera potencia.

Un convenio especial y prévio precisará, llegado el caso, la materia de la controversia, la extensión de los poderes de los árbitros y los plazos a que deban sujetarse la organización y procedimientos del Tribunal de Arbitraje, incluso la presentación de memoriales, pruebas y alegatos.

Article V

Exchange of ratifications, etc.

The present treaty will be ratified by both Governments after obtaining its approval by the Constitutional Powers of both countries, and the ratifications shall be exchanged in Washington as soon as possible.

Artículo V

El presente tratado será ratificado por ambos Gobiernos, prévios los trámites constitucionales de uno y otro país, y las ratificaciones serán cangeadas en Washington tan pronto como sea posible.

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The special convention prescribed by the final paragraph of Article IV remains also subject to the constitutional requisites of both countries.

El convenio especial prescrito por el párrafo final del artículo IV, quedará también sujeto a los requisitos constitucionales de ambos países.

The present treaty shall take effect immediately after the exchange of the ratifications; and shall continue in force for a period of five years, and it shall thereafter remain in force, during successive periods of five years, until one of the High Contracting Parties have given notice to the other of an intention to terminate it.

Duration.

La duración del presente tratado será de cinco años, contados desde la fecha del cange de las ratificaciones; y se entenderá que continúa subsistente por períodos sucesivos de igual duración, miéntras alguna de las Altas Partes Contratantes no haya comunicado a lo otra su resolución de ponerle término.

In witness thereof the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington, on the 24th day of July, in the year nineteen hundred and fourteen.

Signatures.

En fé de lo cual, los respectivos Plenipotenciarios han firmado el presente tratado y selládolo con sus sellos.

Hecho en Washington, el día 24 de julio del año de mil novecientos catorce.

WILLIAM JENNINGS BRYAN [SEAL]
[SEAL] EDº. SUÁREZ MUJÍCA

Treaty between the United States and China for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and the President of the Republic of China, desiring to strengthen the friendly relations which unite their two countries and to serve the cause of general peace, have decided to conclude a treaty for these purposes and have consequently appointed the plenipotentiaries designated hereinafter, to wit:

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1642. Signed at Washington, September 15, 1914; ratification advised by the Senate, October 12, 1914; ratified by the President, June 17, 1915; ratified by China, June 18, 1915; ratifications exchanged at Washington, October 22, 1915; proclaimed, October 23, 1915.

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Plenipotentiaries.

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State of the United States; and

The President of the Republic of China, Kai Fu Shah, Envoy Extraordinary and Minister Plenipotentiary of the Republic of China to the United States;

Who, after exhibiting to each other their full powers, found to be in due and proper form, have agreed upon the following articles:

ARTICLE I

Disputes to be submitted to a Permanent International Commission for examination and report.

Any disputes arising between the Government of the United States of America and the Government of the Republic of China, of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to arbitration, be submitted for investigation and report to a Permanent International Commission constituted in the manner prescribed in the following article.

The High Contracting Parties agree not to resort, with respect to each other, to any act of force during the investigation to be made by the Commission and before its report is handed in.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members appointed as follows: Each Government shall designate two members, only one of whom shall be of its own nationality; the fifth member shall be designated by common consent and shall not belong to any of the nationalities already represented on the Commission; he shall perform the duties of President.

In case the two Governments should be unable to agree on the choice of the fifth commissioner, the other four shall be called upon to designate him, and failing an understanding between them, the provisions of article 45 of The Hague Convention of 1907[1] shall be applied.

Organization.

The Commission shall be organized within six months from the exchange of ratifications of the present convention.

Appointment.

The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work on which they are engaged at the time their office expires is completed.

[1] *U. S. Statutes at Large*, vol. 36, p. 2223.

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Any vacancies which may arise (from death, resignation, or cases of physical or moral incapacity) shall be filled within the shortest possible period in the manner followed for the original appointment. Vacancies.

The High Contracting Parties shall, before designating the commissioners, reach an understanding in regard to their compensation. They shall bear by halves the expenses incident to the meeting of the Commission. Expenses.

ARTICLE III

In case a dispute should arise between the High Contracting Parties which is not settled by the ordinary methods, each Party shall have a right to ask that the investigation thereof be intrusted to the International Commission charged with making a report. Notice shall be given to the President of the International Commission, who shall at once communicate with his colleagues. Duties of Commission.

In the same case the President may, after consulting his colleagues and upon receiving the consent of a majority of the members of the Commission, offer the services of the latter to each of the Contracting Parties. Acceptance of that offer declared by one of the two Governments shall be sufficient to give jurisdiction of the case to the Commission in accordance with the foregoing paragraph.

The place of meeting shall be determined by the Commission itself.

ARTICLE IV

The two High Contracting Parties shall have a right, each on its own part, to state to the President of the Commission what is the subject matter of the controversy. No difference in these statements, which shall be furnished by way of suggestion, shall arrest the action of the Commission. Statement of subject-matter referred.

In case the cause of the dispute should consist of certain acts already committed or about to be committed, the Commission shall as soon as possible indicate what measures to preserve the rights of each party ought in its opinion to be taken provisionally and pending the delivery of its report. Provisional action.

ARTICLE V

As regards the procedure which it is to follow, the Commission shall as far as possible be guided by the provisions contained in articles 9 to 36 of Convention 1 of The Hague of 1907.[1] Procedure.

[1] *U. S. Statutes at Large*, vol. 36, pp. 2214–20.

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Facilities for investigation.

The High Contracting Parties agree to afford the Commission all means and all necessary facilities for its investigation and report.

Completion of work.

The work of the Commission shall be completed within one year from the date on which it has taken jurisdiction of the case, unless the High Contracting Parties should agree to set a different period.

Transmittal of report.

The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

Independent action reserved.

The High Contracting Parties reserve full liberty as to the action to be taken on the report of the Commission.

ARTICLE VI

Exchange of ratifications.

The present treaty shall be ratified by the President of the United States of America, with the advice and consent of the Senate of the United States, and by the President of the Republic of China.

Duration.

It shall go into force immediately after the exchange of ratifications and shall last five years.

Unless denounced six months at least before the expiration of the said period of five years, it shall remain in force until the expiration of a period of twelve months after either party shall have notified the other of its intention to terminate it.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Washington this 15th day of September, in the year nineteen hundred and fourteen, corresponding to the 15th day of the ninth month in the third year of the Republic of China.

[SEAL] WILLIAM JENNINGS BRYAN

[SEAL] [Signature in Chinese characters of the Chinese plenipotentiary, KAI FU SHAH]

[Chinese text not printed.]

[*The Secretary of State to the Chinese Minister*]

DEPARTMENT OF STATE,
Washington, May 11, 1916.

SIR:

It not having been found feasible to complete the International Commission provided for in the treaty of September 15, 1914, between the

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United States and China for the advancement of the general cause of peace, I have the honor to suggest, for the consideration of your Government that the time within which the organization of the Commission may be completed be extended by an exchange of notes from April 22, 1916, to August 1, 1916.

Your formal notification in writing that your Government receives the suggestion favorably will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT LANSING.

MR. VI KYUIN WELLINGTON KOO,
Chinese Minister.

[*The Chinese Minister to the Secretary of State*]

CHINESE LEGATION,
Washington, May 19, 1916.

SIR:

I have the honor to acknowledge the receipt of your note of the 11th instant, in which you are good enough to suggest, for the consideration of my Government, that the time within which the organization of the International Commission provided for in the Treaty of September 15, 1914, between China and the United States, for the advancement of the general cause of peace may be completed, be extended by an exchange of notes from April 22, 1916, to August 1, 1916.

I am authorized by my Government to inform you in reply that my Government is pleased to accept this suggestion of your Government and accordingly regards the extension of time from April 22, 1916, to August 1, 1916, for the organization of the Commission as effective by this exchange of notes.

Accept, Sir, the renewed assurances of my highest consideration.

VI KYUIN WELLINGTON KOO.

HONORABLE ROBERT LANSING,
Secretary of State.

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Treaty between the United States and Costa Rica for the Advancement of General Peace[1]

Contracting Powers.

The United States of America and the Republic of Costa Rica, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y la República de Costa Rica con el deseo de fortalecer los vínculos de amistad que los unen y a la vez cimentar el espíritu de paz universal han resuelto celebrar un Tratado con tal objeto y para ese fin han nombrado como sus Plenipotenciarios;

Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

The President of Costa Rica, Señor Don Joaquin Bernardo Calvo, Envoy Extraordinary and Minister Plenipotentiary of Costa Rica to the United States;

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y

El Presidente de Costa Rica, al Señor Don Joaquin Bernardo Calvo, Enviado Extraordinario y Ministro Plenipotenciario en los Estados Unidos;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

Quienes, después de examinados sus respectivos Plenos Poderes, y encontrándolos en debida forma, han convenido en los artículos siguientes;

Article I

Artículo I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agree-

Las Altas Partes contratantes acuerdan que todas las desavenencias, de cualquier naturaleza que ellas sean y que en el hecho o por los términos de tratados de

[1] *U. S. Statutes at Large,* vol. 38, pt. 2, p. 1856. Signed at Washington, February 13, 1914; ratification advised by the Senate, August 13, 1914; ratified by Costa Rica, July 25, 1914; ratified by the President, November 11, 1914; ratifications exchanged at Washington, November 12, 1914; proclaimed, November 13, 1914.

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ments do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

arbitraje o compromisos existentes no estén comprendidas en sus estipulaciones, y que no hayan podido arreglarse por la vía diplomática, serán sometidas para su investigación e informe a una Comisión Internacional constituida de la manera prescrita en el siguiente artículo; y convienen asimismo en no declararse la guerra o empezar hostilidades durante el período de la investigación ni antes de que la Comisión les comunique el informe.

Article II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. Each of the High Contracting Parties shall have the right to remove, at any time before investigation begins, any Commissioner selected by it and to name his successor, and under the same conditions shall also have the right to withdraw its approval of the fifth Commissioner selected jointly; in which case a new

Artículo II

International Commission. Composition.

La Comisión Internacional se compondrá de cinco miembros, nombrados como sigue: un miembro será elegido dentro del país, por su respectivo Gobierno; otro miembro será elegido por cada Gobierno, de un tercer país; el quinto miembre será elegido de común acuerdo por los dos Gobiernos; debiendo entenderse que no podrá elegirse a ningún ciudadano de alguno de los dos países interesados. Cada una de las Altas Partes contratantes se reserva el derecho de separar, antes que hayan comenzado las investigaciones, a cualquiera de los comisionados que hubiese elegido, y en tal caso procederá a nombrar a su reemplazante. Bajo la misma condición podrá cualquiera de las Partes contratantes retirar su aceptación del

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Commissioner shall be selected jointly as in the original selection.

Compensation.

The Commissioners shall, when actually employed in the investigation of a dispute, receive such compensation as shall be agreed upon by the High Contracting Parties. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Expenses.

Appointment.

The International Commission shall be appointed as soon as possible after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

Facilities for investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

quinto comisionado elegido conjuntamente, y en este caso se procederá a una nueva elección en la forma ya establecida. Los comisionados recibirán la compensación que acuerden las Altas Partes contratantes tan sólo durante el tiempo que se ocupen de la investigación. Los gastos de la Comisión serán sufragados por mitad por los Gobiernos contratantes.

La Comisión Internacional será nombrada en el más corto plazo después del canje de las ratificaciones del Tratado; y las vacantes que ocurrieren serán llenadas según lo acordado para el nombramiento original.

ARTÍCULO III

En el caso de que no haya sido posible el arreglo de una cuestión entre las Altas Partes contratantes por los medios diplomáticos, ésta será referida inmediatamente a la Comisión Internacional para su investigación e informe. La Comisión Internacional podrá tambien por iniciativa propia intervenir, y en tal caso deberá hacerlo saber a ambos Gobiernos y pedir su cooperación para la investigación.

Las Altas Partes contratantes convienen en subministrar a la Comisión Permanente Internacional todos los medios y facilidades que demande para la investigación e informe.

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The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Time for report.

El informe de la Comisión Internacional deberá estar listo dentro de un año contado desde la fecha en que ella declare haber empezado la investigación, a menos que las Altas Partes contratantes restringieran o extendieran el tiempo por mutuo consentimiento. El informe debe ser preparado por triplicado; una copia para cada Gobierno, y la tercera retenida por la Comisión para su archivo.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

Independent action reserved.

Las Altas Partes contratantes se reservan el derecho de obrar independientemente en el asunto en disputa después que el informe de la Comisión se les haya sometido.

ARTICLE IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of Costa Rica, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

ARTÍCULO IV

Exchange of ratifications.

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado, y por el Presidente de la República de Costa Rica, con la aprobación del Congreso Constitucional, y las ratificaciones serán canjeadas tan pronto como fuere posible. Producirá sus efectos el presente Tratado inmediatamente después del canje de ratificaciones y continuará en vigor por cinco años, y será obligatorio después por doce meses contados desde que una de las Altas Partes contratantes haya comunicado a la otra su intención de terminarlo.

Duration.

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Signatures.

In witness whereof, the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 13th day of February, in the year of our Lord nineteen hundred and fourteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y puesto al pie sus sellos.

Hecho en Washington, el día 13 de febrero en el año de Nuestro Señor mil novecientos catorce.

WILLIAM JENNINGS BRYAN [SEAL]
[SEAL] J. B. CALVO

Treaty between the United States and Denmark for the Advancement of General Peace[1]

Contracting Powers.

The United States of America and His Majesty the King of Denmark being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

De amerikanske Forenede Stater og Hans Majestæt Kongen af Danmark har, besjælede af Ønsket om at styrke de Venskabsbaand, som sammenknytter dem, og samtidig at fremme Freden i Almindelighed, besluttet at indgaa en Traktat mellem sig til dette Formaal og har i den Anledning udnævnt til deres befuldmægtigede:

Plenipotentiaries.

The President of the United States: The Honorable William Jennings Bryan, Secretary of State; and

His Majesty the King of Denmark: Mr. Constantin Brun, His Chamberlain and Envoy Ex-

Præsidenten for de Forenede Stater, the Honorable William Jennings Bryan, Statssekretær; og

Hans Majestæt Kongen af Danmark, Hr. Constantin Brun, Hans Majestæts Kammerherre og En-

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1883. Signed at Washington, April 17, 1914; ratification advised by the Senate, September 30, 1914; ratified by Denmark, November 21, 1914; ratified by the President, January 14, 1915; ratifications exchanged at Washington, January 19, 1915; proclaimed, January 20, 1915.

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traordinary and Minister Plenipotentiary to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

voyé extraordinaire og Ministre plénipotentiaire i de Forenede Stater;

Som efter at have meddelt hinanden deres respektive Fuldmagter, der fandtes at være i behørig Form, er komne overens om følgende Artikler:

Article I

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and report.

Artikel I

Disputes to be submitted to International Commission for investigation and report.

De høje kontraherende Parter er enige om, at alle Stridigheder mellem dem, ligegyldig af hvilken Art, som det ikke er lykkedes at bilægge ad diplomatisk Vej, skal forelægges en international Kommission til Undersøgelse og Betænkning. Komissionen skal sammensættes paa den i den følgende Artikel bestemte Maade, og de er enige om ikke at erklære Krig eller paabegynde Fjendtligheder, saalænge Kommissionens Undersøgelse ikke er tilendebragt og dens Betænkning afgivet.

Status pending report.

Article II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. It is understood that the fifth member of the Com-

Artikel II

International Commission. Composition.

Den internationale Kommission skal bestaa af 5 Medlemmer, der udnævnes paa følgende Maade: et Medlem skal vælges fra hvert Land af dettes Regering; et Medlem skal vælges af hver Regering fra et tredje Land; det femte Medlem skal vælges efter Overenskomst mellem de to Regeringer. Det femte Medlem af Kommissionen maa ikke være Statsborger i noget af de to

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Expenses.

mission shall not be a citizen of either country. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Appointment.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

Procedure.

Unless otherwise agreed between the parties the procedure of the International Commission shall be regulated by the prescriptions contained in the Convention signed at The Hague on October 18, 1907, for the peaceful settlement of international disputes, Chapter III.[1]

Lande. Kommissionens Udgifter skal betales af de to Regeringer med lige Dele.

Den internationale Kommission skal udnævnes inden Udløbet af 4 Maaneder efter Udvekslingen af Ratifikationerne af denne Traktat, og ledige Pladser skal udfyldes paa samme Maade som den oprindelige Udnævnelse.

Medmindre andet er aftalt mellem Parterne, skal Proceduren ved den internationale Kommission ske i Overensstemmelse med Reglerne i Kap. III i den i Haag den 18. Oktober 1907 undertegnede Konvention om fredelig Bilæggelse af internationale Stridigheder.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

Facilities for investigation.

The High Contracting Parties agree to furnish the Permanent

ARTIKEL III

Hvis det ikke lykkes de høje kontraherende Parter at bilægge en Strid gennem diplomatisk Forhandling, skal de straks henvise den til den internationale Kommission til Undersøgelse og Betænkning. Den internationale Kommission kan desuden handle paa eget Initiativ, og i saa Tilfælde skal den underrette begge Regeringer og anmode om deres Bistand til Undersøgelsen. De høje kontraherende Parter er enige om at yde den permanente interna-

[1] *U. S. Statutes at Large*, vol. 36, pp. 2214–20.

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International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Time for report.

tionale Kommission alle Hjælpemidler og enhver Bistand, som er nødvendig til Foretagelse af Undersøgelsen og Afgivelse af Betænkningen.

Den internationale Kommissions Beretning skal være færdig inden 1 Aar efter det Tidspunkt, paa hvilket den erklærer, at dens Undersøgelse er paabegyndt, medmindre de høje kontraherende Parter efter Aftale forlænger dette Tidsrum. Betænkningen skal udfærdiges i 3 Eksemplarer, af hvilke eet skal overgives hver Regering; det tredje skal Kommissionen beholde til sine Arkiver.

ARTICLE IV

The High Contracting Parties agree that, upon the receipt of the report of the International Commission as provided in Article III, they will immediately endeavor to adjust the dispute directly between them upon the basis of the Commission's findings. The High Contracting Parties, however, reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

Adjustment of dispute.

Independent action reserved.

ARTIKEL IV

De høje kontraherende Parter er enige om ved Modtagelsen af den internationale Kommissions Betænkning, som forudsat i Art. III, uopholdelig at ville bestræbe sig for at bilægge Striden direkte mellem sig paa Grundlag af Kommissionens Resultater. De høje kontraherende Parter forbeholde sig dog Ret til at handle uafhængigt med Hensyn til Stridens Gjenstand, efterat Kommissionens Betænkning er bleven forelagt.

ARTICLE V

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent

Ratification.

ARTIKEL V

Nærværende Traktat skal ratificeres af Præsidenten for de amerikanske Forenede Stater med Senatets Raad og Samtykke og af

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of the Senate thereof, and by His Majesty the King of Denmark.

Exchange of ratifications.

The ratifications shall be exchanged at Washington as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties shall have given notice to the other of an intention to terminate it.

Duration and denouncement.

Hans Majestæt Kongen af Danmark.

Ratifikationerne skal udveksles i Washington saa snart som muligt. Traktaten skal træde i Kraft umiddelbart efter Udvekslingen af Ratifikationerne og skal forblive i Kraft for et Tidsrum af 5 Aar, og derefter skal den blive i Kraft indtil Udløbet af 12 Maaneder efter, at en af de høje kontraherende Parter maatte give den anden Part Meddelelse om, at den har til Hensigt at bringe den til Ophør.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in duplicate in the English and Danish languages at Washington this 17th day of April, in the year 1914.

Til Bekræftelse heraf har de tvende Befuldmægtigede undertegnet nærværende Traktat og paatrykt den deres Segl.

Givet i to Eksemplarer paa Engelsk og Dansk i Washington den 17de April, 1914.

WILLIAM JENNINGS BRYAN [SEAL]
C. BRUN [SEAL]

Treaty between the United States and Ecuador for the Advancement of General Peace[1]

Contracting Powers.

The Governments of the United States of America and of the Republic of Ecuador, being desirous of once more contributing to the consolidation of their traditional

Los Gobiernos de los Estados Unidos de América y de la República del Ecuador, en el anhelo de contribuir una vez más á la consolidación de su política tradi-

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1650. Signed at Washington, October 13, 1914; ratification advised by the Senate, October 20, 1914; ratified by the President, January 4, 1916; ratified by Ecuador, November 10, 1915; ratifications exchanged at Washington, January 22, 1916; proclaimed, January 24, 1916.

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policy of peace and amity and also to advance the diffusion of the spirit of universal peace, have resolved to enter into a special treaty and to that end have appointed as their plenipotentiaries:

The President of the United States of America: The Honorable William Jennings Bryan, Secretary of State; and

The President of the Republic of Ecuador: Señor Dr. Don Gonzalo S. Córdova, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Ecuador to the United States of America;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

cional de paz y de amistad y con el propósito de fomentar la difusión del espíritu de paz universal, han convenido en concluir un Tratado Especial nombrando á este fin como sus Plenipotenciarios:

Plenipotentiaries.

El Presidente de los Estados Unidos de América: al Honorable William Jennings Bryan, Secretario de Estado; y

El Presidente de la República del Ecuador: al Señor Dr. Don Gonzalo S. Córdova, Enviado Extraordinario y Ministro Plenipotenciario de la República del Ecuador en los Estados Unidos de América;

Los cuales, después de haberse comunicado los Plenos Poderes de que se hallan investidos, hallados en buena y debida forma, han convenido en las disposiciones siguientes:

Article I

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, and which it has not been possible to adjust through diplomatic methods, be referred for investigation and report to an International Commission to be constituted in the manner prescribed in the following article. And they further

Artículo I

Disputes to be submitted to International Commission for investigation and report.

Las Altas Partes contratantes acuerdan que todas las desavenencias de cualquiera naturaleza que ellas sean y que en el hecho ó por los terminos de tratados de arbitraje existentes no esten comprendidas en sus estipulaciones, y que no hayan podido arreglarse por la via diplomática serán sometidas para su investigación é informe á una Comisión Internacional constituida en la manera prescrita en el siguiente artículo. Convienen asimismo en no decla-

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agree not to declare war or commit any act of hostility against each other, during such investigation and before the report is submitted.

ARTICLE II

International Commission. Composition.

The International Commission mentioned in the preceding article shall be composed of five members, to be appointed as follows: Each Government shall appoint two members, one of whom shall be a citizen of the country whose government appoints him, and the other a citizen of some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either of the two contracting countries. In case of disagreement regarding the appointment of the fifth member, the two Governments shall request the President of the Swiss Confederation to choose such member. Said fifth member shall be of right the President of the International Commission.

New appointments.

Each Government shall have the right to revoke the appointment of either or both of the members chosen by it, at any time before the investigation is begun, but must appoint his or their successors at the time his or their appointments are revoked. If the fifth member be chosen by com-

ARTÍCULO II

La Comisión Internacional á que se refiere el artículo anterior será compuesta de cinco miembros designados en la siguiente forma: Cada Gobierno nombrará dos miembros, debiendo uno de ellos ser ciudadano del país cuyo Gobierno lo nombra y el otro ciudadano de un tercer país. El quinto, deberá ser designado común acuerdo por ambos Gobiernos, no pudiendo recaer la designación en un ciudadano de ninguno de los dos países contratantes. En el caso de desacuerdo sobre la elección del quinto, los dos Gobiernos pedirán al Presidente de la Confederación Suiza que haga la designación de él. Este quinto miembro será de derecho Presidente de la Comisión Internacional.

Cada Gobierno podrá revocar el nombramiento de cualquiera de los miembros designados por el, en cualquier momento antes de iniciada la investigación, debiendo sin embargo designar el ó los reemplazantes en el mismo acto en que produzca la revocación. Si el quinto miembro hubiera sido

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mon agreement between the High Contracting Parties, they may also at any time before the investigation is begun, withdraw their approval, but shall in such case come to an agreement within the next thirty days as to the appointment of a successor or request the President of the Swiss Confederation to make such appointment. Vacancies due to other causes than those enumerated in this article shall be filled in the manner established for the original appointment, and the new appointments shall not be delayed more than fifteen days from the date on which notice of the vacancy was received. The International Commission shall organize within six months after the exchange of the ratifications of this treaty, and shall report its organization to both Governments on the same date. It shall prescribe the rules of practice to be observed in the discharge of its mission, and shall also designate the place where the investigations are to be conducted. The expenses of the Commission and the compensation of its members shall be paid by the two contracting Governments in equal proportion.

designado de común acuerdo por las Altas Partes Contratantes, éstas podrán también en cualquier momento antes de iniciada la investigación, retirar ese acuerdo, debiendo sin embargo dentro de los treinta días siguientes ponerse de acuerdo en la designación del reemplazante ó pedir al Presidente de la Confederación Suiza que haga esa designación. Las vacantes que se produjeran por otras causas que las enumeradas en este artículo serán llenadas en la forma establecida para la designación original, no debiendo las nuevas designaciones retardarse más de quince días á contar desde aquel en que se haya tenido noticia de la vacante. La Comisión Internacional se constituirá dentro de los seis meses siguientes al cange de las ratificaciones del presente Tratado, debiendo dar cuenta de su constitución á ambos Gobiernos ne la misma fecha. Ella establecerá las reglas de procedimiento á que deberá ajustarse en el desempeño de su misión y designará asímismo el lugar en que se practicarán las investigaciones. Los gastos de la Comisión y los honorarios de sus miembros serán sufragados por partes iguales por los dos Gobiernos contratantes.

Vacancies.

Expenses, etc.

Article III

In case the High Contracting Parties shall have failed to ad-

Artículo III

Cuando las Altas Partes Contratantes no hayan podido solu-

Duties of Commission.

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just their disputes by diplomatic methods, they shall at once be referred to the International Commission for investigation and report, and either of the two interested governments may make the respective reference. The High Contracting Parties agree to furnish the International Commission with all the facilities which it requires for the proper discharge of its trust, and it shall complete its investigation and submit its report within a period of one year from the date on which it shall declare its investigation to have begun. If for reasons of *force majeure* it shall not have found it possible to complete its investigation or submit its report within the said period, it may be extended for six months more, if the High Contracting Parties agree in this respect. Upon the submission of its report by the International Commission, or if for any reason whatsoever no report is submitted within the term fixed in this article, the High Contracting Parties reserve the right to act in the subject matter of the investigation and report as their respective interests may demand.

Facilities for investigation, etc.

Report.

Independent action reserved.

cionar sus diferencias por la vía diplomática, ellas serán inmediatamente referidas para su investigación é informe á la Comisión Internacional, pudiendo cualquiera de los dos Gobiernos interesados hacer la convocatoria respectiva. Las Altas Partes Contratantes se obligan á suministrar á la Comisión Internacional todas las facilidades que reclame el mejor desempeño de su cometido, y ella deberá terminar su investigación y presentar su Informe dentro del término de un año á contar desde la fecha en que hubiese declarado que habia empezado la investigación. Si por razones de fuerza mayor no hubiera podido completarse la investigación ó redactarse el Informe dentro de ese término, podrá él ser ampliado por seis meses más, siempre que estuvieran de acuerdo á este respecto las Altas Partes Contratantes. Sometido el Informe por la Comisión Internacional á los respectivos Gobiernos, ó no producido él por cualquier motivo dentro de los términos fijados en el presente artículo, las Altas Partes Contratantes se reservan el derecho de proceder en el asunto materia de investigación é informe como lo reclamen sus respectivos intereses.

ARTICLE IV

Exchange of ratifications.

The present treaty shall be ratified by the respective Govern-

ARTÍCULO IV

El presente Tratado será ratificado por los respectivos Gobier-

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ments in accordance with the provisions of their respective constitutions, and the ratifications shall be exchanged as soon as possible.

nos de acuerdo con lo establecido por sus respectivas Constituciones, debiendo hacerse el cange de dichas ratificaciones tan pronto como fuere posible.

This treaty shall continue in force for five years from the date of the exchange of ratifications and if notice of an intention to terminate it is not given by one of the Contracting Parties to the other one year before the termination of this period, it shall be considered as renewed for another year, and so on successively. A strict and faithful observance of the preceding article is entrusted to the honor of the signatory nations.

Este Tratado estará en vigencia durante cinco años á contar desde el cange de las ratificaciones y si no es denunciado un año antes de su vencimiento se considerará renovado por otro año, y así sucesivamente. El estricto y leal cumplimiento de las cláusulas precedentes queda confiado al honor de las naciones signatarias. Duration.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 13th day of October, in the year of our Lord nineteen hundred and fourteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pie sus sellos.

Hecho en Washington, el día 13 de Octubre, en el año de Nuestro Señor mil novecientos catorce. Signatures.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] G. S. CÓRDOVA

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Treaty between the United States and France for the Advancement of General Peace[1]

Treaty to facilitate the settlement of Disputes.

Traité pour faciliter le règlement des Litiges.

Contracting Powers.

The President of the United States of America and the President of the French Republic, desiring to strengthen the friendly relations which unite their two countries and to serve the cause of general peace, have decided to conclude a treaty for these purposes and have consequently appointed the plenipotentiaries designated hereinafter, to-wit:

Le Président des Etats-Unis d'Amérique et le Président de la République française, désirant affirmer les relations amicales qui unissent leurs deux pays et servir la cause de la paix générale, ont décidé de conclure un traité à ces fins et ont nommé, en conséquence, les plénipotentiaires ci-après désignés, savoir:

Plenipotentiaries.

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State of the United States; and

Le Président des Etats-Unis d'Amérique, l'Honorable William Jennings Bryan, Secrétaire d'Etat des Etats-Unis; et

The President of the French Republic, His Excellency J. J. Jusserand, Ambassador of the French Republic to the United States;

Le Président de la République française, Son Excellence J. J. Jusserand, Ambassadeur de la République française aux Etats-Unis;

Who, after exhibiting to each other their full powers, found to be in due and proper form, have agreed upon the following articles:

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

Article 1

Article I

Disputes to be submitted to International Commission for investigation and report.

Any disputes arising between the Government of the United

Tous différends s'élevant entre le Gouvernement des Etats-Unis

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1887. Signed at Washington, September 15, 1914; ratification advised by the Senate, September 25, 1914; ratified by France, December 3, 1914; ratified by the President, January 14, 1915; ratifications exchanged at Washington, January 22, 1915; proclaimed, January 23, 1915.

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States of America and the Government of the French Republic, of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to arbitration, be submitted for investigation and report to a Permanent International Commission, constituted in the manner prescribed in the following article.

The High Contracting Parties agree not to resort, with respect to each other, to any act of force during the investigation to be made by the Commission and before its report is handed in.

d'Amérique et le Gouvernement de la République française, de quelque nature qu'ils soient, lorsque les procédés diplomatiques ordinaires auront échoué et que les Hautes Parties contractantes n'ont pas recours à l'arbitrage, seront soumis, pour examen et rapport, à une Commission internationale permanente, constituée de la manière prescrite dans l'article suivant.

Les Hautes Parties contractantes conviennent de ne se livrer, l'une vis-à-vis de l'autre, à aucun acte de force durant l'examen auquel procèdera la Commission et avant la remise de son rapport.

Status pending report.

ARTICLE 2

The International Commission shall be composed of five members appointed as follows: Each Government shall designate two members, only one of whom shall be of its own nationality; the fifth member shall be designated by common consent and shall not belong to any of the nationalities already represented on the Commission; he shall perform the duties of President.

In case the two Governments should be unable to agree on the choice of the fifth commissioner, the other four shall be called upon to designate him, and failing an understanding between them, the provisions of article 45

ARTICLE II

La Commission internationale sera composée de cinq membres nommés comme il suit: chaque Gouvernement désignera deux membres, dont un seulement de sa nationalité; le cinquième membre sera désigné d'un commun accord et ne pourra appartenir à une des nationalités déjà représentées dans la Commission; il remplira les fonctions de Président.

International Commission. Composition.

Au cas où les deux Gouvernements ne pourraient se mettre d'accord sur le choix du cinquième commissaire, les quatre autres seraient appelés à le désigner, et à défaut d'entente entre ceux-ci, les dispositions de l'arti-

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of The Hague Convention of 1907[1] shall be applied.

Organization.

The Commission shall be organized within six months from the exchange of ratifications of the present convention.

Term of service.

The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work on which they are engaged at the time their office expires is completed.

Vacancies.

Any vacancies which may arise (from death, resignation, or cases of physical or moral incapacity) shall be filled within the shortest possible period in the manner followed for the original appointment.

Compensation and expenses.

The High Contracting Parties shall, before designating the Commissioners, reach an understanding in regard to their compensation. They shall bear by halves the expenses incident to the meeting of the Commission.

cle 45 de la Convention de La Haye de 1907 seraient appliquées.

La Commission sera constituée dans les six mois de l'échange des ratifications de la présente convention.

Les membres sont nommés pour une année et leur mandat peut être renouvelé. Ils restent en fonctions jusqu'à leur remplacement ou jusqu'au renouvellement de leur mandat, ou encore jusqu'à l'achèvement de leurs travaux en cours au moment de l'expiration de leur mandat.

Il sera pourvu dans le plus bref délai aux vacances qui se produiraient (décès, démission, cas d'incapacité physique ou morale) suivant le mode employé pour la nomination.

Les Hautes Parties contractantes s'entendront avant qu'il soit procédé à la désignation des commissaires relativement à la rémunération de ceux-ci. Elles supporteront par moitié les frais auxquels donnerait lieu la réunion de la Commission.

ARTICLE 3

Duties of Commission.

In case a dispute should arise between the High Contracting Parties which is not settled by the ordinary methods, each Party

ARTICLE III

Dans le cas où il s'élèverait entre les Hautes Parties contractantes un différend qui ne serait pas réglé par les voies

[1] *U. S. Statutes at Large*, vol. 36, p. 2223.

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shall have a right to ask that the investigation thereof be intrusted to the International Commission charged with making a report. Notice shall be given to the President of the International Commission, who shall at once communicate with his colleagues.

In the same case the President may, after consulting his colleagues and upon receiving the consent of a majority of the members of the Commission, offer the services of the latter to each of the Contracting Parties. Acceptance of that offer declared by one of the two Governments shall be sufficient to give jurisdiction of the case to the Commission in accordance with the foregoing paragraph.

The place of meeting shall be determined by the Commission itself.

ARTICLE 4

The two High Contracting Parties shall have a right, each on its own part, to state to the President of the Commission what is the subject-matter of the controversy. No difference in these statements, which shall be furnished by way of suggestion, shall arrest the action of the Commission.

In case the cause of the dispute should consist of certain acts already committed or about to be

ordinaires, chaque partie aura le droit de demander que l'examen en soit confié à la Commission internationale chargée de faire un rapport. Notification sera faite au Président de la Commission internationale qui se mettra aussitôt en relations avec ses collègues.

Offer of services.

Dans le même cas, le Président, après avoir consulté ses collègues et moyennant avis conforme de la majorité des membres de la Commission, peut offrir les services de celle-ci à chacune des Parties contractantes. Il suffit que l'un des deux Gouvernements déclare l'accepter pour que la Commission soit saisie conformément à l'alinéa précédent.

Place of meeting.

Le lieu de réunion sera fixé par la Commission elle-même.

ARTICLE IV

Statement of subject-matter referred.

Les deux Hautes Parties contractantes auront le droit de préciser, chacune de son côté, auprès du Président de la Commission, quel est l'objet du litige. Nulle différence dans ces exposés, fournis à titre d'indication, n'arrêtera l'action de la Commission.

Provisional action.

Dans le cas où la cause du différend consisterait en actes déterminés déjà effectués ou sur

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committed, the Commission shall as soon as possible indicate what measures to preserve the rights of each party ought in its opinion to be taken provisionally and pending the delivery of its report.

le point de l'être, la Commission indiquera, dans le plus bref délai possible, quelles mesures, conservatoires des droits de chacun, devraient, selon son avis, être prises à titre provisoire et en attendant le dépot de son rapport.

Article 5

Article V

Procedure.

As regards the procedure which it is to follow, the Commission shall as far as possible be guided by the provisions contained in articles 9 to 36 of Convention 1 of The Hague of 1907.[1]

La Commission s'inspirera, dans la mesure du possible, quant à la procédure qu'elle aura à suivre, des dispositions contenues dans les articles 9 à 36 de la Convention 1 de La Haye de 1907.

Facilities for investigation.

The High Contracting Parties agree to afford the Commission all means and all necessary facilities for its investigation and report.

Les Hautes Parties contractantes conviennent de fournir à la Commission tous les moyens et toutes les facilités nécessaires à son examen et à son rapport.

Completion of work.

The work of the Commission shall be completed within one year from the date on which it has taken jurisdiction of the case, unless the High Contracting Parties should agree to set a different period.

Les travaux de la Commission devront être terminés dans l'année du jour où elle aura été saisie, à moins que les Hautes Parties contractantes ne tombent d'accord pour la fixation d'un autre délai.

Transmittal of report.

The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

Les conclusions de la Commission et les termes de son rapport seront arrêtés à la majorité. Le rapport, signé par le Président seul, agissant en vertu de sa qualité, sera transmis par ses soins à chacune des Parties contractantes.

Independent action reserved.

The High Contracting Parties reserve full liberty as to the action

Les Hautes Parties contractantes se réservent une entière

[1] *U. S. Statutes at Large*, vol. 36, pp. 2214-20.

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to be taken on the report of the Commission.

ARTICLE 6

The present treaty shall be ratified by the President of the United States of America, with the advice and consent of the Senate of the United States, and by the President of the French Republic, in accordance with the constitutional laws of France.

It shall go into force immediately after the exchange of ratifications and shall last five years.

Unless denounced six months at least before the expiration of the said period of five years, it shall remain in force until the expiration of a period of twelve months after either party shall have notified the other of its intention to terminate it.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Washington this 15th day of September, in the year nineteen hundred and fourteen.

liberté pour la suite à donner au Rapport de la Commission.

ARTICLE VI

Le présent traité sera ratifié par le Président des Etats-Unis d'Amérique sur l'avis et avec le consentement du Sénat des Etats-Unis, et par le Président de la République française, conformément aux lois constitutionnelles de la France. **Ratification.**

Il entrera en vigueur aussitôt après l'échange des ratifications et aura une durée de cinq années. **Exchange of ratifications.**

S'il n'a pas été dénoncé au moins six mois avant l'expiration de ce délai de cinq ans, il restera en vigueur jusqu'à l'expiration d'un délai de douze mois après que l'une des Hautes Parties contractantes aura notifié à l'autre son intention d'y mettre terme. **Duration and denouncement.**

En foi de quoi les plénipotentiaires respectifs ont signé le présent traité et y ont apposé leurs cachets. **Signatures.**

Fait à Washington le 15 septembre de l'an mille neuf cent quatorze.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] JUSSERAND

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[*The Secretary of State to the French Ambassador*]

DEPARTMENT OF STATE,
Washington, November 10, 1915.

Excellency:

It not having been found feasible to complete the International Commission provided for in the Treaty of September 15, 1914, between the United States and France, looking to the advancement of the general cause of peace, within the time specified in the Treaty, which expires tomorrow, I have the honor to suggest for the consideration of your Government that the time within which the organization of the Commission may be completed be extended by an exchange of notes from July 22, 1915, to January 1, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Excellency, the renewed assurances of my highest consideration.

ROBERT LANSING

His Excellency
Mr J. J. JUSSERAND,
The Ambassador of France.

[*The French Ambassador to the Secretary of State*]

[Translation]

EMBASSY OF THE FRENCH REPUBLIC
TO THE UNITED STATES,
Washington, November 10, 1915.

Mr. Secretary of State,

In reply to Your Excellency's letter of this day's date I hasten to confirm the oral assurances which I had previously given you and to the effect that my Government agrees with that of the United States to decide that the time within which the members of the Commission provided by the Treaty of September 15, 1914, are to be designated will be extended from July 22, 1915, to January 1, 1916.

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The present exchange of notes is considered by my Government as sanctioning the said extension of time.

Be pleased to accept, Mr. Secretary of State, the assurances of my high consideration.

JUSSERAND

His Excellency
The Honorable ROBERT LANSING
Secretary of State of the United States.

Treaty between the United States and Great Britain for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State of the United States; and

His Britannic Majesty, the Right Honorable Sir Cecil Arthur Spring-Rice, G. C. V. O., K. C. M. G., etc., His Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, other than disputes the settlement of which is provided for and in fact achieved under existing agreements

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1853. Signed at Washington, September 15, 1914; ratification advised by the Senate, September 25, 1914; ratified by Great Britain, October 8, 1914; ratified by the President, November 4, 1914; ratifications exchanged at Washington, November 10, 1914; proclaimed, November 11, 1914.

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between the High Contracting Parties, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country.

Expenses.

The expenses of the Commission shall be paid by the two Governments in equal proportions.

Appointment.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously by unanimous agreement offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

Representatives from self-governing British Dominions.

In the event of its appearing to His Majesty's Government that the British interests affected by the dispute to be investigated are not mainly those of the United Kingdom but are mainly those of some one or more of the self governing dominions, namely, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland, His Majesty's Government shall be at liberty to substitute as the member chosen by them to serve on the International Commission for such investigation and report another person selected from a list of persons to be named one for each of the self governing dominions but only one

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shall act, namely, that one who represents the dominion immediately interested.

Facilities for investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Independent action reserved.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

ARTICLE IV

Boundary waters treaty not affected.

This treaty shall not affect in any way the provisions of the Treaty of the 11th January, 1909,[1] relating to questions arising between the United States and the Dominion of Canada.

ARTICLE V

Exchange of ratifications. Duration.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged at Washington as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in duplicate at Washington on the 15th day of September, in the year of our Lord nineteen hundred and fourteen.

[SEAL] WILLIAM JENNINGS BRYAN
CECIL SPRING-RICE [SEAL]

[1] *U. S. Statutes at Large*, vol. 36, p. 2448.

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[*The Secretary of State to the British Ambassador*]

DEPARTMENT OF STATE,
Washington, November 3, 1915.

Excellency:

It not having been found feasible to complete the international commission provided for in the treaty of September 15, 1914, between the United States and Great Britain, looking to the advancement of the general cause of peace, within the time specified in the treaty, which expired on May 10, 1915, I have the honor to suggest for the consideration of your Government that the time within which the organization of the commission may be completed be extended by an exchange of notes from May 10, 1915, to January 1, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

I have the honor to be, with the highest consideration, Your Excellency's most obedient servant,

ROBERT LANSING

His Excellency
Sir CECIL ARTHUR SPRING-RICE,
Ambassador of Great Britain.

[*The British Ambassador to the Secretary of State*]

BRITISH EMBASSY,
Washington, November 3, 1915.

Sir:

I have honour to acknowledge the receipt of your Note of this day's date in which you state as follows:—

"It not having been found feasible to complete the international commission provided for in the treaty of September 15, 1914, between the United States and Great Britain, looking to the advancement of the general cause of peace, within the time specified in the treaty, which expired on May 10, 1915, I have the honour to suggest for the consideration of your Government that the time within which the

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organization of the commission may be completed be extended by an exchange of notes from May 10, 1915, to January 1, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favourably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also."

I have the honour to inform you in reply that His Majesty's Government accepts this suggestion made by the United States Government and that they regard the exchange of today's Notes as sufficient to give effect to the extension.

I have the honour to be,

With the highest consideration,

Sir,

Your most obedient, humble Servant,

CECIL SPRING RICE

The Honourable ROBERT LANSING,
Secretary of State
of the United States, etc., etc., etc.

Treaty between the United States and Guatemala for the Advancement of General Peace[1]

Contracting Powers.

The United States of America and the Republic of Guatemala, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y la República de Guatemala, en el deseo de fortalecer los vínculos de amistad que los unen y tambien avanzar la causa de la Páz general, han resuelto entrar en un Tratado con aquel objeto á cuyo fín han nombrado como sus Plenipotenciarios:

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1840. Signed at Washington, September 20, 1913; ratification advised by the Senate with amendments, August 13, 1914; ratified by the President, August 27, 1914; ratified by Guatemala, May 15, 1914; ratifications exchanged at Washington, October 13, 1914; proclaimed, October 13, 1914.

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Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

The President of Guatemala, Señor Don Joaquin Méndez, Envoy Extraordinary and Minister Plenipotentiary of Guatemala to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y

El Presidente de Guatemala, al Señor Don Joaquin Méndez, Enviado Extraordinario y Ministro Plenipotenciario de Guatemala en los Estados Unidos;

Quienes, despues de haber comunicado sus respectívos Plenos Poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

Article I

Disputes to be submitted to International Commission for investigation and report.

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report.

Artículo I

Las Altas Partes contratantes han convenido, que todas las disputas entre ellas, de cualquiera naturaleza que fueren, que la diplomacia fallare arreglar, deberán ser sometidas para su investigación é informe á una Comisión Internacional, la cual deberá ser constituida en la manera prescrita en el próximo siguiente artículo; y convienen en no declarar guerra ó empesar hostilidades durante tal investigación é informe.

Article II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by com-

Artículo II

La Comisión Internacional deberá componerse de cinco miembros, que deberán ser nombrados como sigue: un miembro deberá ser escogido de cada país, por su respectívo Gobierno; un miembro deberá ser escogido por cada Gobierno, de un tercer país; el quinto miembro deberá ser escogido de

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mon agreement between the two Governments. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Expenses.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

Appointment.

ARTICLE III

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

Duties of Commission.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Time for report.

comun acuerdo entre los dos Gobiernos. Los gastos de la Comisión deberán ser pagados por los dos Gobiernos en igual proporción.

Expenses.

La Comisión Internacional deberá ser nombrada dentro de cuatro meses después del canje de las ratificaciones del Tratado; y las vacantes deberán ser llenadas de acuerdo con la manera del nombramiento original.

Appointment.

ARTÍCULO III

En el caso que las Altas Partes contratantes hubieren fallado en arreglar una disputa por los medios diplomáticos, deberán inmediatamente referirla á la Comisión Internacional para su investigación é informe. La Comisión Internacional puede, sin embargo, actuar sobre su propia iniciatíva, y en tal caso deberá notificar ambos Gobiernos y solicitar su cooperación en la investigación.

Duties of Commission.

El informe de la Comisión Internacional deberá estar completado dentro de un año después de la fecha en la cual haya declarado haber empesado su investigación, á menos que las Altas Partes contratantes extendieran el tiempo por mutuo consentimiento. El informe deberá ser preparado por triplicado; una copia deberá ser presentada á cada Gobierno, y la tercera reteni-

Time for report.

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Independent action reserved.

The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

da por la Comisión para sus legajos.

Las Altas Partes contratantes se reservan el derecho de obrar independientemente en la materia sujeta de la disputa despues que el informe de la Comisión se les haya sometido.

ARTICLE IV

Exchange of ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Republic of Guatemala, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

Duration.

ARTÍCULO IV

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Presidente de la República de Guatemala, con la aprobación del Congreso, y las ratificaciónes deberán ser canjeadas tan pronto como fuere posible. Deberá entrar en vigor inmediatamente despues del canje de ratificaciónes, y continuará en fuerza por un período de cinco años; y deberá despues permanecer en fuerza hasta doce meses despues que una de las Altas Partes contratantes haya notificado á la otra la intención de terminarlo.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 20th day of September, in the year of our Lord nineteen hundred and thirteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pié sus sellos.

Hecho en Washington, el dia 20 de Setiembre, en el año de Nuestro Señor mil novecientos trece.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] JOAQUÍN MÉNDEZ

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[*The Secretary of State to the Minister of Guatemala*]

DEPARTMENT OF STATE,
Washington, November 3, 1915.

Excellency:

It not having been found possible to complete the International Commission provided for in the Treaty of September 20, 1913 between the United States and Guatemala, looking to the advancement of the general cause of peace, within the time specified in the Treaty, which expired February 13, 1915, I have the honor to suggest for the consideration of your Government that the time within which the organization of the Commission may be completed be extended by an exchange of notes from February 13, 1915 to January 1, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT LANSING

Señor Don JOAQUÍN MÉNDEZ,
The Minister of Guatemala,
Washington.

[*The Guatemalan Minister to the Secretary of State*]

LEGACIÓN DE GUATEMALA,
Washington, November 3rd, 1915.

Excellency:

I have the honour to acknowledge the receipt of Your Excellency's note of today, in which Your Excellency suggests, that as it was not possible to complete the International Commission provided for in the Treaty of September 20, 1913, between the United States and Guatemala, looking to the advancement of the general cause of Peace, within the time specified in the Treaty, which expired February 13, 1915, that the time within which the organization of the Commission may be completed be extended by an exchange of notes from February 13, 1915 to January 1, 1916.

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In answer to Your Excellency's note, I beg to state that the Government of Guatemala receives the suggestion most favourably, and I therefore believe that this answer of mine in the name of my Government can be regarded as the completing of the exchange of notes.

I avail myself of the opportunity to renew to Your Excellency, the assurances of my highest consideration and esteem.

JOAQUÍN MÉNDEZ

His Excellency
ROBERT LANSING,
Secretary of State of the United States of America.
Etc., etc., etc.
Washington, D. C.

Treaty between the United States and Honduras for the Advancement of General Peace[1]

Contracting Powers.

The United States of America and the Republic of Honduras, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y la República de Honduras, en el deseo de fortalecer los vínculos de amistad que los unen y también avanzar la causa de la Paz general, han resuelto entrar en un Tratado con aquel objeto, á cuyo fin han nombrado como sus Plenipotenciarios:

Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y

The President of Honduras, Señor Doctor don Alberto Mem-

El Presidente de Honduras, al Señor Doctor don Alberto Mem-

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1672. Signed at Washington, November 3, 1913; ratification advised by the Senate, with amendments, August 13, 1914; ratified by Honduras, May 29, 1916; ratified by the President, July 20, 1916; ratifications exchanged at Washington, July 27, 1916; proclaimed, July 28, 1916.

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breño, Envoy Extraordinary and Minister Plenipotentiary of Honduras to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

breño, Enviado Extraordinario y Ministro Plenipotenciario de Honduras en los Estados Unidos;

Quienes, después de haber comunicado sus respectivos Plenos Poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

Article I

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report.

Artículo I

Disputes to be submitted to International Commission.

Las Altas Partes contratantes convienen en que todas las disputas entre ellas, de cualquiera naturaleza que fueren, que la diplomacia fallare arreglar, deberán ser sometidas para su investigación é informe á una Comisión Internacional, la cual deberá ser constituida en la manera prescrita en el próximo siguiente artículo; y convienen en no declarar guerra ó empezar hostilidades durante tal investigación é informe.

Article II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of the Commission shall be paid by

Artículo II

La Comisión Internacional deberá componerse de cinco miembros, que deberán ser nombrados como sigue: un miembro deberá ser escogido de cada país, por su respectivo Gobierno; un miembro deberá ser escogido por cada Gobierno, de un tercer país; el quinto miembro deberá ser escogido de comun acuerdo entre los dos Gobiernos. Los gastos de la Comisión deberán ser paga-

Expenses.

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the two Governments in equal proportion.

Appointment.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

dos por los dos Gobiernos en igual proporción.

La Comisión Internacional deberá ser nombrada dentro de cuatro meses después del canje de las ratificaciones del Tratado; y las vacantes deberán ser llenadas de acuerdo con la manera del nombramiento original.

ARTICLE III

Duties of Commission.

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Independent action.

The high contracting parties reserve the right to act indepen-

ARTÍCULO III

En el caso que las Altas Partes contratantes hubieren fallado en arreglar una disputa por los medios diplomáticos, deberán inmediatamente referirla á la Comisión Internacional para su investigación é informe. La Comisión Internacional puede, sin embargo, actuar por su propia iniciativa, y en tal caso deberá notificar á ambos Gobiernos y solicitar su cooperación en la investigación.

El informe de la Comisión Internacional deberá estar completado dentro de un año después de la fecha en la cual haya declarado haber empezado su investigación, á menos que las Altas Partes contratantes extendieren el tiempo por mutuo consentimiento. El informe deberá ser preparado por triplicado; una copia deberá ser presentada á cada Gobierno, y la tercera retenida por la Comisión para sus legajos.

Las Altas Partes contratantes se reservan el derecho de obrar

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dently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

independientemente en el asunto de la disputa después que el informe de la Comisión se les haya sometido.

ARTICLE IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the Congress of the Republic of Honduras; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

ARTÍCULO IV

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Congreso de la República de Honduras; y las ratificaciones deberán ser canjeadas tan pronto como fuere posible. Deberá entrar en vigor inmediatamente después del canje de ratificaciones, y continuará en fuerza por un período de cinco años; y deberá después permanecer en fuerza hasta doce meses después que una de las Altas Partes contratantes haya notificado á la otra la intención de terminarlo.

Ratification.

Duration.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the third day of November, in the year of our Lord nineteen hundred and thirteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pie sus sellos.

Hecho en Washington, el dia tercero de Noviembre, en el año de Nuestro Señor mil novecientos trece.

Signatures.

WILLIAM JENNINGS BRYAN [SEAL]
ALBERTO MEMBREÑO [SEAL]

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Treaty between the United States and Italy for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and His Majesty the King of Italy, being desirous to strengthen the bonds of amity that bind the two countries, and also to advance the cause of general peace, have resolved to enter into a treaty for those purposes, and to that end have appointed as their Plenipotentiaries:

Il Presidente degli Stati Uniti d'America e Sua Maestà il Re d'Italia, essendo desiderosi di rinforzare i vincoli d'amicizia che congiungono i due Paesi, nonchè di promuovere la causa della pace generale, hanno risolto di addivenire ad un Trattato per tali intenti ed a questo fine hanno nominato come loro Plenipotenziari:

Plenipotentiaries.

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State; and

His Majesty the King of Italy, His Excellency the Marquis Cusani Confalonieri, Commander of the Order of Saint Maurice and Saint Lazarus, Grand Cordon of the Order of the Crown of Italy, etc., His Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

Il Presidente degli Stati Uniti d'America: l'Onorevole William Jennings Bryan, Segretario di Stato; e

Sua Maestà il Re d'Italia: Sua Eccellenza il Marchese Cusani Confalonieri, Commendatore dell'Ordine dei Santi Maurizio e Lazzaro, Gran Cordone dell'Ordine della Corona d'Italia, ecc., Suo Ambasciatore Straordinario e Plenipotenziario a Washington;

i quali, dopo essersi reciprocamente comunicati i loro rispettivi pieni poteri, trovandoli in debita forma, hanno convenuto sugli articoli seguenti:

Article I

Differences to be submitted to a Commission for investigation and report.

The High Contracting Parties engage to submit for investigation and report to a Commission, to be constituted according to the pro-

Articolo I

Le Alte Parti Contraenti s'impegnano a sottomettere, per inchiesta e rapporto, ad una Commissione da costituirsi secondo le

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1618. Signed at Washington, May 5, 1914; ratification advised by the Senate, August 13, 1914; ratified by the President, March 17, 1915; ratified by Italy, November 29, 1914; ratifications exchanged at Washington, March 19, 1915; proclaimed, March 24, 1915.

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visions of the following Article, all differences of whatever nature they may be which may occur between them which can not be composed by diplomatic methods or are not submitted to a tribunal of arbitration; they bind themselves not to declare war nor to open hostilities during the examination by the Commission and before the Commission has presented its report.

disposizioni dell'articolo seguente, tutte le divergenze di qualsiasi natura che vengano a sorgere fra Esse e che non possano essere regolate per le vie diplomatiche o non siano sottomesse ad un tribunale arbitrale; Esse si obbligano a non dichiararsi la guerra e a non aprire le ostilità durante l'esame della Commissione e prima che questa abbia presentato il suo rapporto.

Article II

The International Commission shall be composed of five members appointed according to the following rules:

Each country, by means of its Government, chooses two members, one from among its own subjects, the other from among those of a third State; the two Governments, after agreement, will name the fifth member, on condition, however, that he be not a citizen of either of these two countries. Each Commissioner shall hold his place during a term of four years; at the expiration of this term, or in the event of vacancy, the confirmation or the substitution of the Commissioner whose term may have expired or whose place may be vacant shall be made in the same manner.

Each of the High Contracting Parties shall have the right, before the investigation has begun, to substitute for one of the mem-

Articolo II

International Commission. Composition.

La Commissione Internazionale sarà composta di cinque membri, nominati secondo le regole seguenti:

Ogni Paese, per mezzo del suo Governo, sceglierà due membri, l'uno fra i suoi cittadini, l'altro fra quelli d'un terzo Stato; i due Governi, dopo essersi messi d'accordo, nomineranno il quinto membro, a condizione però che egli non sia cittadino di alcuno di questi due Paesi. Ogni Commissario occuperà il suo posto durante un termine di quattro anni; allo spirare di questo termine, o in caso di vacanza, la conferma o la sostituzione del Commissario il cui termine sia spirato o il cui posto sia vacante, sarà fatta nella stessa maniera.

Ognuna delle Alte Parti Contraenti avrà il diritto, prima che l'esame sia cominciato, di sostituire uno dei membri della Com-

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bers of the Commission appointed by it another one chosen from the category to which the Commissioner to be replaced belonged.

Compensation.

When the Commissioners be actually occupied in the examination of a question they shall receive a compensation which will be mutually agreed upon by the High Contracting Parties.

Expenses.

The expenses of the Commission shall be borne by the two Governments in equal proportion.

Appointment.

The International Commission shall be appointed within six months after the exchange of the ratifications of this Treaty.

missione da Essa nominato, con un altro, scelto nella categoria alla quale apparteneva il Commissario da surrogarsi.

Quando i Commissari saranno effettivamente occupati nell'esame di una vertenza, essi riceveranno una indennità che sarà fissata di comune accordo fra le Alte Parti Contraenti.

Le spese della Commissione saranno sostenute dai due Governi in parti eguali. La Commissione Internazionale sarà nominata entro sei mesi dopo lo scambio delle ratifiche di questo Trattato.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods or by means of a tribunal of arbitration, it shall at once be referred, either by common agreement or by one or the other party, to the International Commission for investigation and report.

The Commission must inform the two Governments of the date on which it will begin its labors, inviting them to furnish it with all the documents and to lend it the cooperation necessary for the investigation.

Facilities for investigation, etc.

The High Contracting Parties engage to furnish all the documents and to afford all facilities

ARTICOLO III

Nel caso in cui le Alte Parti Contraenti non abbiano potuto regolare una divergenza per le vie diplomatiche o per mezzo di un tribunale arbitrale, questa sarà senza ritardo sottomessa, sia di comune accordo, sia a cura dell'una o dell'altra Parte, alla Commissione Internazionale, per inchiesta e rapporto.

La Commissione dovrà informare i due Governi della data alla quale essa comincierà i suoi lavori, invitandoli a fornirle tutti i documenti o a prestarle la cooperazione necessaria per l'inchiesta.

Le Alte Parti Contraenti s'impegnano a fornire tutti i documenti e ad accordare tutte le

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for the investigation and the report, provided that in their judgment this does not conflict with the laws or with the supreme interests of the State, and provided that the interests and rights of third States shall not thereby suffer damage.

In the absence of an agreement to the contrary between the High Contracting Parties, the Commission will itself adopt regulations governing its procedure.

The report of the Commission must be presented within a period of one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties may have shortened or prolonged by mutual agreement this term. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third shall be placed in the archives of the Commission.

The High Contracting Parties reserve to themselves the right to act independently on the subject matter of the dispute after the Commission shall have presented its report.

ARTICLE IV

The present Treaty shall be ratified by the President of the United States of America, by and with the advice and consent of

facilitazioni per l'inchiesta e il rapporto purchè, a loro avviso, ciò non sia in conflitto con le leggi o con gli interessi supremi del Paese a purchè gli interessi e i diritti di terzi Stati non ne soffrano danno.

Salvo accordo contrario fra le Alte Parti Contraenti, la Commissione fisserà essa medesima le regole governanti il suo funzionamento.

Time for report.

Il rapporto della Commissione dovrà essere presentato entro il termine di un anno, a partire dalla data in cui essa dichiarerà che la sua inchiesta è cominciata, a meno che le Alte Parti Contraenti non abbreviino o non prolunghino di comune accordo questo termine. Il rapporto sarà redatto in tre esemplari, uno di essi sarà rimesso ad ogni Governo, ed il terzo sarà depositato negli Archivi della Commissione.

Independent action reserved.

Le Alte Parti Contraenti si riservano il diritto d'agire in modo indipendente nella questione stessa che forma l'oggetto della vertenza, dopo che la Commissione avrà presentato il suo rapporto.

ARTICOLO IV

Ratification.

Il presente Trattato sarà ratificato dal Presidente degli Stati Uniti d'America, in base al parere e col consenso del Senato, e da

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the Senate, and by His Majesty the King of Italy, and the ratifications shall be exchanged as soon as possible.

Sua Maestà il Re d'Italia, e le ratifiche saranno scambiate al più presto possibile.

Duration.

The Treaty will come into force, for a period of five years, immediately after the exchange of ratifications. It will thereafter remain in force for twelve months more after one of the High Contracting Parties shall have notified the other of its intention to terminate it.

Il Trattato entrerà in vigore immediatamente dopo lo scambio delle ratifiche. Esso resterà, in seguito, in vigore per dodici mesi dopo che l'una delle Alte Parti Contraenti avrà notificato all'altra la sua intenzione di mettervi fine.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present Treaty and have affixed thereunto their seals.

Done in duplicate in the English and Italian languages at Washington this fifth day of May, in the year 1914.

In fede di che i rispettivi Plenipotenziari hanno firmato il presente trattato e vi hanno apposto i loro sigilli.

Fatto in doppio originale in lingua inglese ed italiana il giorno cinque Maggio dell'anno 1914.

WILLIAM JENNINGS BRYAN [SEAL]
CUSANI [SEAL]

[*The Secretary of State to the Italian Ambassador*]

No. 118.] DEPARTMENT OF STATE,
Washington, September 18, 1915.

Excellency:

It not having been found feasible to complete the international commission provided for in the treaty of May 5, 1914, between the United States and Italy, looking to the advancement of the general cause of peace, within the time specified in the treaty, which expires tomorrow, I have the honor to suggest for the consideration of your Government that the time within which the organization of the commission may be

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completed be extended by an exchange of notes from September 19, 1915, to January 1, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Excellency, the renewed assurances of my highest consideration.

ROBERT LANSING

His Excellency
Count V. MACCHI DI CELLERE,
Ambassador of Italy.

[*The Italian Ambassador to the Secretary of State*]

[Translation]

No. 3509.] ROYAL EMBASSY OF ITALY,
Washington, September 18, 1915.

Mr. Secretary of State:

By note of today's date Your Excellency, in view of the fact that it had not been feasible to complete the Commission provided for in Article 2 of the Convention of May 5, 1914, between Italy and the United States, for the prevention of international conflicts, and that, on the other hand, the time set by the Convention for the appointment of the said Commission expires tomorrow, was pleased to propose through me to the King's Government that the time within which the Commission may be completed be extended by an exchange of notes from September 19, 1915, to January 1, 1916. Your Excellency added that my formal notification in writing, of the same date of today, that the said proposition is accepted by the Italian Government would be regarded on the part of the Government of the United States as sufficient to give effect to the extension.

I have the honor and hasten, for my part, to inform Your Excellency that my Government readily agrees to an extension of the time within which the above mentioned Commission may be appointed until January 1, 1916, and that it also regards the exchange of today's notes as sufficient to give effect to the extension.

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Accept, Mr. Secretary of State, the assurances of my highest consideration.

MACCHI DI CELLERE

To His Excellency
The Honorable ROBERT LANSING,
Secretary of State,
Washington.

Treaty between the United States and Norway for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and His Majesty the King of Norway, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Præsidenten for Amerikas Forenede Stater og Hans Majestæt Kongen av Norge har, besjælet av önsket om at styrke de mellem begge stater bestaaende venskabsbaand og samtidig at fremme freden i almindelighet, besluttet i dette öiemed at avslutte en traktat og har i den anledning utnævnt til sine befuldmægtigede:

Plenipotentiaries.

The President of the United States, William Jennings Bryan, Secretary of State of the United States; and

His Majesty the King of Norway, H. H. Bryn, Envoy Extraordinary and Minister Plenipotentiary of Norway to the United States;

Præsidenten for Amerikas Forenede Stater, William Jennings Bryan, de Forenede Staters statssekretær; og

Hans Majestæt Kongen av Norge, H. H. Bryn, Norges overordentlige Utsending og befuldmægtigede Minister i de Forenede Stater;

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1843. Signed at Washington, June 24, 1914; ratification advised by the Senate, August 13, 1914; ratified by the President, October 14, 1914; ratified by Norway, September 18, 1914; ratifications exchanged at Washington, October 21, 1914; proclaimed, October 22, 1914.

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Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I

The High Contracting Parties agree that all disputes between them of every nature whatsoever shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a Permanent International Commission; provided, however, that treaties in force between the two parties do not prescribe settlement by arbitration of such dispute.

The Commission shall be constituted in the manner prescribed in the next succeeding article.

The High Contracting Parties agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member, who shall be the

Hvilke efter at ha meddelt hinanden sine respektive fuldmagter, som fandtes at være i behörig form, er kommet overens om följende artikler:

ARTIKEL I

Disputes to be submitted to Permanent International Commission.

De höje kontraherende parter er enige om, at alle stridigheter mellem dem, likegyldig av hvilken art, som det ikke er lykkes at bilægge ad diplomatisk vei, skal forelægges en permanent international kommission til undersökelse og betænkning, forsaavidt de ikke i henhold til de mellem parterne gjældende traktater blir at avgjöre ved voldgift.

Subject to treaties in force.

Kommissionen skal sammensættes paa den i följende artikel bestemte maate.

De höie kontraherende parter er enige om ikke at erklære krig eller aapne fiendtligheter saalænge kommissionens undersökelse ikke er tilendebragt og dens betænkning avgit.

ARTIKEL II

International Commission. Composition.

Den internationale kommission skal bestaa av fem medlemmer, son opnævnes paa följende maate: Et medlem skal vælges fra hvert land av dettes regjering, et medlem skal vælges av hver regjering fra et tredje land. Det femte medlem, som skal være kommissionens formand, skal væl-

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chairman of the Commission, shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country nor a resident in either of them. If an agreement is not reached as to this appointment, the fifth member shall be chosen according to the rules laid down in Art. 87 of the Convention signed at The Hague on October 18, 1907, for the Peaceful Settlement of International Disputes.[1]

ges efter overenskomst mellem de to regjeringer; han maa ikke være statsborger eller bosat i noget av de to land. Hvis det ikke lykkes at komme til en saadan overenskomst, skal det femte medlem vælges overensstemmende med reglerne i Art. 87 i den i Haag den 18de oktober, 1907, undertegnede konvention om fredelig bilæggelse av internationale tvistigheter.

Expenses.

The expenses of the Commission shall be paid by the two Governments in equal proportion.

Kommissionens utgifter skal betales av de to regjeringer med like dele.

Appointment.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; vacancies to be filled according to the manner of the original appointment.

Den internationale kommission skal opnævnes inden utlöpet av 4 maaneder efter utvexlingen av ratifikationerne av denne traktat. I tilfælde av ledighet eller forfald inden kommissionen, skal medlemmer opnævnes efter samme regler, som er gjældende for den oprindelige opnævnelse.

Procedure.

Unless otherwise agreed between the parties, the procedure of the International Commission shall be regulated by the prescriptions contained in Chapter III of the Convention mentioned above.[2]

Medmindre andet er avtalt mellem parterne, skal procedyren ved den internationale kommission ske i overensstemmelse med reglerne i kap. III i den ovennævnte konvention.

ARTICLE III

ARTIKEL III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, and the dispute is not to be set-

Hvis det ikke lykkes de höie kontraherende parter at bilægge en strid gjennem diplomatisk forhandling, og den ikke blir at av-

[1] *U. S. Statutes at Large*, vol. 36, p. 2233.
[2] *Ibid.*, p. 2226.

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tled by arbitration, the Parties shall at once refer it to the International Commission for investigation and report.

The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed as soon as possible and at the latest within one year after the date on which the Commission shall declare its investigation to have begun, unless the High Contracting Parties shall extend or limit the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

gjöre ved voldgift, skal parterne straks henvise den til den internationale kommission til undersökelse og betænkning.

Den internationale kommission kan desuten tilby sin medvirkning paa eget initiativ og i saa tilfælde skal den underrette begge regjeringer og anmode om deres bistand til undersökelsen.

De höie kontraherende parter er enige om at yde den permanente internationale kommission alle hjælpemidler og enhver bistand, som er nödvendig til foretagelse af undersökelsen og avgivelse av batænkningen.

Time for report.

Den internationale kommissions beretning skal avgives snarest mulig og senest inden et aar efter det tidspunkt, paa hvilket den erklærer, at dens undersökelse er paabegyndt, med mindre de höie kontraherende parter efter avtale forlænger eller begrænser dette tidsrum. Betænkningen skal utfærdiges i 3 eksemplarer, av hvilke et skal overgives hver av de to regjeringer, det tredje skal kommissionen bevare i sine arkiver.

Article IV

The High Contracting Parties agree that, upon the receipt of the report of the International Commission, they will immediately endeavor to adjust the dis-

Artikel IV

Action on report.

De höie kontraherende parter er enige om efter mottagelsen av den permanente internationale kommissions betænkning uopholdelig at ville bestræbe sig for at

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pute directly between them upon the basis of the Commission's findings. They reserve, however, the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

Right reserved.

bilægge striden direkte mellem sig paa grundlag av kommissionens betænkning. De forbeholder sig imidlertid sin ret til at handle i saken uavhængig av denne.

ARTICLE V

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Norway.

Exchange of ratifications.

The ratifications shall be exchanged at Washington as soon as possible.

Duration.

The treaty shall take effect immediately after the exchange of ratifications and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

ARTIKEL V

Nærværende traktat skal ratificeres av Præsidenten for Amerikas Forenede Stater med raad og samtykke av staternes senat, og av Hans Majestæt Kongen av Norge.

Ratifikationerne skal utveksles i Washington saa snart som mulig.

Traktaten skal træde i kraft umiddelbart efter utvekslingen av ratifikationerne og skal forbli i kraft for et tidsrum av 5 aar, og derefter skal den bli i kraft indtil utlöpet av 12 maaneder efter at en av de höie kontraherende parter maatte gi den anden part meddelelse om, at den har til hensigt at bringe den til ophör.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in duplicate, in the English and Norwegian languages, at Washington, this 24th day of June, 1914.

Til bekræftelse herav har de to befuldmægtigede undertegnet nærværende trakat og paatrykt sit segl.

Git i to eksemplarer paa engelsk og norsk i Washington den 24 Juni, 1914.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] HELMER H. BRYN

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[*The Secretary of State to the Norwegian Minister*]

DEPARTMENT OF STATE,
Washington, January 7, 1915.

My dear Mr. Minister.

Replying to your Government's telegram, of January 4th, 1915, and communicated to this Department on January 7th, 1915, I beg to suggest that the two Governments agree that unless the appointment of the Commission is completed by February 21st, 1915, the time be extended by mutual agreement until the contracting parties are able to complete the selection.

If your Government agrees to this, a favorable answer taken in connection with this note will be regarded as an agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

W. J. BRYAN

His Excellency
Mr. H. H. BRYN,
Minister of Norway.

[*The Norwegian Minister to the Secretary of State*]

LEGATION OF NORWAY,
Washington, D. C., January 12, 1915.

Mr. Secretary of State,

In the note Your Excellency addressed to me on the 7th instant Your Excellency suggested that the Norwegian and the American Governments agree that unless the appointment of the Commission mentioned in Art. II of the Treaty signed on June 24, 1914, is completed by February 21st, 1915, the time be extended by mutual agreement until the contracting parties are able to complete the selection.

Your Excellency added that if the Norwegian Government agrees to this, a favorable answer taken in connection with the said note would be regarded as an agreement.

In reply to the said note I have been instructed by my Government to inform Your Excellency that my Government agrees to the suggestions set forth in the note, and that an agreement thus is concluded.

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Please accept, Mr. Secretary of State, the assurances of my highest consideration.

H. BRYN

His Excellency,
Hon. W. J. BRYAN,
Secretary of State
etc. etc. etc.

Treaty between the United States and Paraguay for the Advancement of General Peace[1]

Treaty of Peace between the United States of America and the Republic of Paraguay.

Tratado de Paz entre los Estados Unidos de América y la República del Paraguay.

Contracting Powers.

The United States of America and the Republic of Paraguay, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y la República del Paraguay, en el deseo de fortalecer los vínculos de amistad que los unen y también fomentar la causa de la Paz general, han resuelto celebrar un Tratado con ese objeto, a cuyo fin han nombrado como sus Plenipotenciarios:

Plenipotentiaries.

The President of the United States, His Excellency Daniel F. Mooney, Envoy Extraordinary and Minister Plenipotentiary; and

El Presidente de los Estados Unidos, a Su Excelencia Mr. Daniel F. Mooney, Enviado Extraordinario y Ministro Plenipotenciario, y

The President of Paraguay, His Excellency D. Manuel Gondra, Minister of Foreign Relations;

El Presidente del Paraguay a Su Excelencia Don Manuel Gondra, Ministro de Relaciones Exteriores;

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1615. Signed at Asuncion, August 29, 1914; ratification advised by the Senate, October 22, 1914; ratified by the President, October 26, 1914; ratified by Paraguay, March 9, 1915; ratifications exchanged at Asuncion, March 9, 1915; proclaimed, March 17, 1915.

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Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

Quienes, después de haberse comunicado sus respectivos Plenos Poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

Article I

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation, and before the report is submitted.

Artículo I

Las Altas Partes Contratantes convienen que todas las cuestiones entre ellas, de cualquier naturaleza que fuesen, que no hubiesen podido ser resueltas por la vía diplomática, deberán ser sometidas para su investigación e informe a una Comisión Internacional, la cual deberá constituirse en la forma que prescribe el artículo siguiente; y acuerdan no declarar la guerra o iniciar las hostilidades durante tal investigación y antes de que el informe les sea sometido.

Disputes to be submitted to International Commission for investigation and report.

Article II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses shall be paid by the two Governments in equal proportion.

The International Commission

Artículo II

La Comisión Internacional deberá componerse de cinco miembros, nombrados en la forma siguiente: un miembro será designado de cada país, por su respectivo Gobierno; un miembro deberá ser designado por cada Gobierno, de un tercer país; el quinto será designado de común acuerdo por los dos Gobiernos. Los gastos de la Comisión deberán ser pagados por los dos Gobiernos, en igual proporción. La Comisión Internacional deberá ser nombrada den-

International Commission. Composition.

Expenses.

Appointment.

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shall be appointed within the four months following the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

tro de los cuatro meses siguientes al canje de ratificaciones de este Tratado y las vacantes serán llenadas en la misma forma del nombramiento original.

ARTICLE III

Duties of Commission.

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report.

The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have been initiated, unless the high contracting parties shall protract the term by mutual consent. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its archives.

Independent action reserved.

The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

ARTÍCULO III

En caso de que las Altas Partes Contratantes no hubiesen podido arreglar una cuestión por los medios diplomáticos, deberán inmediatamente referirla a la Comisión Internacional para su investigación e informe. La Comisión Internacional puede, sin embargo, obrar por propia iniciativa, y en tal caso deberá notificar a ambos Gobiernos y solicitar su cooperación en la investigación.

El informe de la Comisión Internacional deberá estar completado dentro de un año después de la fecha en que haya declarado haber iniciado sus trabajos, a menos que las Altas Partes Contratantes dilatasen el término por mútuo consentimiento. El informe deberá ser preparado por triplicado; un ejemplar deberá ser presentado a cada Gobierno, y el tercero retenido por la Comisión en sus archivos.

Las Altas Partes Contratantes se reservan el derecho de obrar independientemente en la materia asunto de la discusión, después que el informe de la Comisión les haya sido sometido.

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ARTICLE IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Republic of Paraguay, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years, and it shall thereafter remain in force until one year after one of the high contracting parties have given notice to the other of an intention to terminate it.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Asuncion on the twenty-ninth of August, in the year of our Lord nineteen hundred and fourteen.

ARTÍCULO IV

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado, y por el Presidente del Paraguay, con la aprobación del Congreso, y las ratificaciones deberán ser canjeadas tan pronto como sea posible. Entrará en vigor inmediatamente después del canje de ratificaciones, y regirá, por un período de cinco años; pero se considerará prorrogada su vigencia hasta tanto no lo denuncie una de las Altas Partes Contratantes con un año de anticipación.

Ratification.

Duration.

En fé de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pié sus sellos.

Hecho en Asunción, el día veinte y nueve de Agosto del año mil novecientos catorce.

Signatures.

DANIEL F. MOONEY [SEAL]
M. GONDRA [SEAL]

[*The Secretary of State to the Minister of Paraguay*]

DEPARTMENT OF STATE,
Washington, November 16, 1915.

Sir:

The time specified in the Treaty of August 29, 1914, between the United States and Paraguay, looking to the advancement of the general cause of peace, for the appointment of the International Commission having expired, without the United States non-national Commissioner,

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the Paraguayan Commissioners and the Joint Commissioner being named, I have the honor to suggest for the consideration of your Government that the time within which the organization of the Commission may be completed be extended from July 9, 1915, to January 15, 1916.

Your formal notification in writing, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT LANSING

Mr. HÉCTOR VELÁZQUEZ,
The Minister of Paraguay.

[*The Consul-General of Paraguay to the Secretary of State*]

CONSULADO GENERAL DEL PARAGUAY EN NUEVA YORK
November 22, 1915.

Sir:

Replying to the note of Your Excellency of the sixteenth instant addressed to His Excellency, Dr. Héctor Velázquez, Minister of Paraguay, suggesting an extension until January fifteenth, 1916, for the completion of the International Commission provided by the Treaty of August twenty-ninth, 1914, I beg to advise that, in the absence of Dr. Velázquez, I communicated with the Government at Asunción by cable as follows: "Lansing suggests exchange notes extension time to January fifteen next appointment Peace Treaty Commissioners," to which I am in receipt today of a cable message reading as follows: "Suggestion accepted you are authorized exchange notes. Gondra."

I therefore, by virtue of this authority, accept formally on the part of the Government of Paraguay Your Excellency's suggestion for an extension until the date mentioned, and beg to give assurance that Your Excellency's note will be regarded as giving full effect to such extension.

I have the honor to be, Sir,
Very respectfully,

WM. WALLACE WHITE

To the Honorable ROBERT LANSING,
Secretary of State, Washington, D. C.

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Treaty between the United States and Peru for the Advancement of General Peace[1]

The United States of America and the Republic of Peru, with the earnest desire to strengthen their bonds of friendship and to contribute to the development of the spirit of universal peace, have resolved upon the celebration of a treaty containing the rules for the practice of these high proposals and to that end have nominated as their plenipotentiaries:

The President of the United States, Benton McMillin, Envoy Extraordinary and Minister Plenipotentiary of the United States in Peru; and

The President of Peru, Doctor J. Fernando Gazzani, Minister of Foreign Relations;

Who, after having examined their full powers, which were found in due form, have agreed upon the following articles:

Contracting Powers.

Plenipotentiaries.

Article I

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agree-

Disputes to be submitted to International Commission for investigation and report.

La República del Perú y los Estados Unidos de América, con el anhelo de estrechar sus vínculos de amistad y de contribuir al desarrollo del espíritu de paz universal, han resuelto la celebración de un Tratado que contenga las reglas para la práctica de estos elevados propósitos; y, al efecto, han nombrado como sus plenipotenciarios:

El Presidente del Perú, al señor doctor don J. Fernando Gazzani, Ministro de Relaciones Exteriores; y

El Presidente de los Estados Unidos, el señor Benton McMillin, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos en el Perú;

Quienes, después de examinar sus respectivos plenos poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

Artículo I

Las Altas Partes Contratantes acuerdan que todas las desavenencias, de cualquiera naturaleza que ellas sean, y que en el hecho o por los términos de tratados de

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1611. Signed at Lima, July 14, 1914; ratification advised by the Senate, August 20, 1914; ratified by the President, December 1, 1914; ratified by Peru, January 26, 1915; ratifications exchanged at Lima, March 4, 1915; proclaimed, March 6, 1915.

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ments do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

arbitraje existentes no estén comprendidas en sus estipulaciones, y que no hayan podido arreglarse por la vía diplomática, serán sometidas, para su investigación e informe, a una Comisión Internacional constituída de la manera prescrita en el siguiente artículo; y convienen en no declararse la guerra o empezar las hostilidades durante el período de la investigación y antes de sometido el informe.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, two named by each one of the respective Governments and one named jointly by them. The designations made by each Government can only devolve one on a citizen of the State itself and the other on a citizen of a third country. The designation of the fifth member can not devolve upon a citizen of either of the two interested nations.

Each of the High Contracting Parties reserves to itself the right to withdraw its two Commissioners, or one of them, before the initiation of the investigations, and, within the same period, to withdraw its agreement to the joint designation of the fifth member. In these cases, they shall proceed

ARTÍCULO II

La Comisión Internacional deberá componerse de cinco miembros: dos de nombramiento por cada uno de los respectivos Gobiernos, y uno por nombramiento de común acuerdo entre ambos. Las designaciones correspondientes a cada Gobierno, han de recaer, de modo preciso, una en ciudadano del propio Estado, y la otra en nacional de un tercer país. La designación del quinto miembro no podrá recaer en ciudadano de ninguna de las dos Naciones interesadas.

Cada una de las Altas Partes Contratantes se reserva el derecho de separar a sus dos comisionados o a uno solo de ellos, antes de la instauración de las investigaciones; y, dentro de este mismo término, el de retirar su consentimiento al común acuerdo sobre la designación del quinto

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to replace them according to the forms above laid down.

During the period of investigation the Commissioners shall receive such pecuniary compensation as shall be agreed upon by the High Contracting Parties.

The Commission, whose expenses shall be met in equal parts by the two Governments, shall be appointed a short time after the exchange of the ratifications of the Treaty; and to provide for possible vacancies on it, the same rules shall be applied as in the original designations.

ARTICLE III

The questions which divide the High Contracting Parties should they be incapable of solution by diplomatic means, shall be submitted immediately to the International Commission for its investigation and report.

The International Commission may, however, by unanimous agreement, spontaneously offer its services to that effect, and in such case it shall notify both Governments, and request their cooperation in the investigation.

The High Contracting Parties agree to furnish the International Commission all means and all facilities for the investigation and report.

miembro. En estas eventualidades, deben proceder a los reemplazos en las formas anteriormente previstas.

Por el tiempo de la investigación, los comisionados recibirán las compensaciones pecuniarias que acuerden las Altas Partes Contratantes. Compensation.

La Comisión, cuyos gastos corresponderán por iguales partes a los dos Gobiernos, será designada en breve plazo, después del canje de las ratificaciones de este Tratado; y para proveer las vacantes posibles en ella, son aplicables las mismas reglas de los nombramientos originarios. Expenses. Appointment.

ARTÍCULO III

Las cuestiones que, dividiendo a las Altas Partes Contratantes, resulten insolubles por la vía diplomática, serán sometidas inmediatamente a la Comisión Internacional para su investigación e informe. Duties of Commission.

La Comisión Internacional puede, sin embargo, por acuerdo unánime, ofrecer espontáneamente sus servicios con tal objeto, y en ese caso lo notificará a ambos Gobiernos y les pedirá su cooperación para la investigación.

Las Altas Partes Contratantes acuerdan suministrar a la Comisión Internacional todos los medios y todas las facilidades para la investigación y el informe. Facilities for investigation, etc.

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Time for report.

The report shall be presented in the maximum period of one year, but the High Contracting Parties, by mutual accord, may shorten or extend this period. The report shall appear in three copies.

El informe deberá presentarse en el plazo máximo de un año; pero las Altas Partes Contratantes, por mutuo acuerdo, pueden restringirlo o extenderlo. El informe constará en tres ejemplares.

The Commission shall reserve one of the copies for its archives and deliver the other two to the Governments interested.

La Comisión debe de conservar uno de los ejemplares en su archivo, y entregará los otros dos a los Gobiernos interesados.

Independent action reserved.

The High Contracting Parties reserve the right to act independently in the question dealt with in the investigations after the issue of the report.

Las Altas Partes Contratantes se reservan el derecho de obrar independientemente en la cuestión materia de las investigaciones, después de la expedición del informe.

ARTICLE IV

ARTÍCULO IV

Ratification.

The ratifications of this Treaty shall be made by the President of the United States of America by and with the advice and consent of the Senate; and by the President of Peru if the Legislative Power shall give its approval in conformity with the Constitution and the laws. The exchange of ratifications shall take place as soon as possible, and immediately afterward this Treaty shall take effect for a period of five years, at the end of which it will remain in effect until twelve months after the day on which one of the Parties advises the other of its intention of terminating it.

Las ratificaciones de este Tratado se harán por el Presidente del Perú, si el Poder Legislativo prestase su voto aprobatorio con arreglo a la Constitución y a las leyes; y por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado. El canje de las ratificaciones deberá realizarse tan pronto como sea posible; e inmediatamente después producirá este Tratado sus efectos por el plazo de cinco años, vencido el cual plazo continuará en vigor hasta doce meses después del día en que una de las Partes avise a la otra su propósito de ponerle término.

Duration.

Signatures.

In witness whereof, we the respective plenipotentiaries have

En fe de lo cual, los infrascritos Plenipotenciarios lo han firmado,

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signed the present treaty, in duplicate, in the English and Spanish languages and have hereunto affixed our respective seals.

Done at Lima the fourteenth day of July, in the year of our Lord one thousand nine hundred and fourteen.

BENTON MCMILLIN [SEAL]
J. FERNANDO GAZZANI [SEAL]

por duplicado, en castellano e inglés, poniendo sus respectivos sellos.

Hecho en Lima, el catorce de Julio del año mil novecientos catorce.

[SEAL] J. FERNANDO GAZZANI
[SEAL] BENTON MCMILLIN

Treaty between the United States and Portugal for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and the President of the Portuguese Republic, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their Plenipotentiaries:

O Presidente da República Portuguesa e o Presidente dos Estados Unidos da América, desejando consolidar os laços de amizade que os unem e promover também a causa da paz geral, resolveram celebrar um Tratado para êsse fim e nomearam seus Plenipotenciários:

Plenipotentiaries.

The President of the United States of America: His Excellency Colonel Thomas H. Birch, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Portuguese Republic;

O Presidente da República Portuguesa: Sua Ex.ª o Dr. António Caetano Macieira Júnior, Ministro dos Negócios Estrangeiros;

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1847. Signed at Lisbon, February 4, 1914; ratification advised by the Senate, August 13, 1914; ratified by Portugal, September 26, 1914; ratified by the President, October 21, 1914; ratifications exchanged at Washington, October 24, 1914; proclaimed, October 27, 1914.

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The President of the Portuguese Republic: His Excellency Dr. António Caetano Macieira Júnior, Minister for Foreign Affairs;

O Presidente dos Estados Unidos da América: Sua Ex.ª o Coronel Thomás H. Birch, Enviado Extraordinário e Ministro Plenipotenciário dos Estados Unidos da América, junto da República Portuguesa,

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

Os quais, depois de se terem comunicado os seus respectivos plenos poderes, achados em devida forma, convieram nos seguintes artigos e os assinaram.

ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTIGO I

As Altas Partes Contratantes concordam em que todos os litígios entre elas, de toda e qualquer natureza, a cuja solução os tratados ou acordos de arbitragem anteriores não tenham, pelos seus termos, aplicação, ou não sejam de facto aplicados, serão, quando se tenham malogrado os meios diplomáticos de os resolver, submetidos para investigação e informação, a uma Comissão Internacional, que será constituída pela forma determinada no artigo imediato; e concordam em não declarar guerra, ou romper hostilidades durante essa investigação nem antes de ter sido apresentada a informação.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows:

ARTIGO II

A Comissão Internacional será composta de cinco membros nomeados como segue: um membro

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One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. The expenses of the Commission shall be paid by the two Governments in equal proportion.

de cada um dos países, escolhido pelo respectivo Govêrno; um membro escolhido por cada um dos Governos em qualquer terceiro país; o quinto membro será escolhido de comum acôrdo entre os dos Governos, ficando entendido que não será cidadão de nenhum dos países. As despesas da Comissão serão pagas pelos dois Governos em igual proporção.

Expenses.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

A Comissão Internacional será nomeada dentro de seis meses depois da troca das ratificações dêste Tratado, e as vagas serão preenchidas de acôrdo com a forma da nomeação original.

Appointment.

ARTICLE III

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

ARTIGO III

No caso em que as Altas Partes Contratantes não tiverem conseguido solucionar um litígio pelos meios diplomáticos, submetê-lo hão imediatamente à Comissão Internacional para investigação e informação. A Comissão Internacional pode, contudo, oferecer espontâneamente os seus serviços para aquele fim, e, em tal caso, fá-lo há saber a ambos os Governos e solicitará a cooperação dêles na investigação.

Duties of Commission.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities re-

As Altas Partes Contratantes concordam em fornecer à Comissão Internacional Permanente todos os meios e facilidades requeri-

Facilities for Investigation.

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quired for its investigation and report.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Independent action reserved.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

das para a sua investigação e informação.

A informação da Comissão Internacional estará terminada dentro de um ano depois da data em que declare ter começado a sua investigação, salvo se as Altas Partes Contratantes, por mútuo acôrdo, limitarem ou alargarem o prazo. A informação será feita em triplicado; uma cópia será apresentada a cada um dos Governos, e a terceira conservada pela Comissão para os seus arquivos.

As Altas Partes Contratantes reservam-se o direito de proceder independentemente no assunto sujeito do litígio depois de lhes ter sido apresentada a informação da Comissão.

Article IV

Exchange of ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Portuguese Republic in accordance with the constitutional laws of the Republic; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High

Artigo IV

O presente Tratado será ratificado pelo Presidente da República Portuguesa, em harmonia com as leis constitucionais da República, e pelo Presidente dos Estados Unidos da América, por conselho e com o consentimento do Senado da República, e as ratificações serão trocadas no mais breve prazo possível. Entrará em vigor imediatamente depois da troca das ratificações, subsistirá pelo espaço de cinco anos, e continuará daí por diante em vigor até doze meses depois de uma das Altas Partes Contratantes ter no-

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Contracting Parties have given notice to the other of an intention to terminate it.

tificado à outra a intenção de lhe fazer cessar os efeitos.

In witness whereof the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in duplicate, in the English and Portuguese languages, at Lisbon, this 4th day of February one thousand nine hundred and fourteen.

Em fé do que os respectivos Plenipotenciários assinaram o presente Tratado e lhe apuseram os seus selos. Signatures.

Feito em duplicado, nas linguas portuguesa e inglesa, em Lisboa aos 4 dias de Fevereiro de mil novecentos e quatorze.

[SEAL] THOS. H. BIRCH
[SEAL] ANTº MACIEIRA JR.

[*The Secretary of State to the Minister of Portugal*]

DEPARTMENT OF STATE,
Washington, November 16, 1915.

Sir:

The time specified in the Treaty of February 4, 1914, between the United States and Portugal, looking to the advancement of the general cause of peace, for the appointment of the International Commission having expired, without the United States non-national Commissioner, the Portuguese Commissioners and the Joint Commissioner being named, I have the honor to suggest for the consideration of your Government that the time within which the organization of the Commission may be completed be extended from April 24, 1915, to April 24, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT LANSING

VISCOUNT DE ALTE,
The Minister of Portugal.

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[*The Portuguese Minister to the Secretary of State*]

LEGAÇAO DE PORTUGAL NOS ESTADOS UNIDOS,
Washington, November 16th, 1915.

Sir:

I have the honour to acknowledge the receipt of your note of today's date suggesting the extension from April 24, 1915, to April 24, 1916, of the time within which the organization of the International Commission provided for in the Treaty of February 4, 1914, between Portugal and the United States looking to the advancement of the general cause of peace, may be completed.

I have the honour to inform you that the Portuguese Government fully concur with the suggestion made by the American Government and that this exchange of notes will be regarded by them as sufficient to give effect to the extension.

I avail myself of this opportunity in order to convey to you, Sir, the renewed assurance of my highest consideration.

ALTE

The Honourable ROBERT LANSING,
Secretary of State, etc., etc., etc.

Treaty between the United States and Russia for the Advancement of General Peace[1]

Treaty for the settlement of disputes.

Traité pour le règlement des litiges.

Contracting Powers.

The President of the United States of America and His Majesty the Emperor of all the Russias, desiring to strengthen the friendly relations which unite their countries and to serve the cause of general peace, have de-

Le Président des Etats Unis d'Amérique et Sa Majesté l'Empereur de Toutes les Russies, désirant affirmer les relations amicales qui unissent leurs deux pays et servir la cause de la paix générale, ont décidé de conclure un Traité à

[1] *U. S. Statutes at Large*, vol. 39, pt. 2, p. 1622. Signed at Washington, October 1/September 18, 1914; ratification advised by the Senate, October 13, 1914; ratified by the President, January 23, 1915; ratified by Russia, December 23, 1914; ratifications exchanged at Washington, March 22, 1915; proclaimed, March 25, 1915.

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cided to conclude a Treaty for these purposes and have consequently appointed their Plenipotentiaries designated hereinafter, to wit:

ces fins et ont nommé en conséquence les Plénipotentiaires ci-après désignés:

Plenipotentiaries.

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State of the United States; and

Le Président des Etats Unis d'Amérique, l'Honorable William Jennings Bryan, Secrétaire d'Etat des Etats Unis, et

His Majesty the Emperor of all the Russias, His Excellency G. Bakhmeteff, Master of His Court and His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Sa Majesté l'Empereur de Toutes les Russies, Son Excellence G. Bakhméteff, Son Maître de la Cour et Ambassadeur Extraordinaire et Plénipotentiaire aux Etats Unis;

Who, after exhibiting to each other their Full Powers found to be in due and proper form, have agreed upon the following articles:

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

ARTICLE I

ARTICLE I

Differences to be submitted to a Permanent International Commission for examination and report.

Any differences arising between the Government of the United States of America and the Imperial Government of Russia, of whatever nature they may be, shall, when diplomatic proceedings have failed, be submitted for examination and report to a Permanent International Commission constituted in the manner prescribed in the following article; likewise the High Contracting Parties agree not to resort, with respect to each other, to any acts of force during the examination to be made by the Commission and before its report is handed in.

Tous différends, s'élevant entre le Gouvernement des Etats Unis d'Amérique et le Gouvernement Impérial de Russie, de quelque nature qu'ils soient, lorsque les procédés diplomatiques auront échoué, seront soumis, pour examen et rapport, à une Commission Internationale Permanente, constituée de la manière prescrite dans l'article suivant; les Hautes Parties Contractantes conviennent également de ne se livrer, l'une vis-à-vis de l'autre, à aucun acte de force durant l'examen auquel procédera la Commission et avant la remise de son rapport.

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ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members appointed as follows: Each Government shall designate two members; the fifth member shall be designated by common consent and shall not belong to any of the nationalities already represented on the Commission; he shall perform the duties of President.

Expenses.

The two Governments shall bear by halves the expenses of the Commission.

The Commission shall be organized within six months from the exchange of ratifications of the present Convention.

Appointment.

The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work on which they are engaged at the time their office expires is completed.

Vacancies.

Any vacancies which may arise shall be filled in the manner followed for the original appointment.

ARTICLE III

Duties of Commission.

In case a difference should arise between the High Contracting Parties which is not settled by diplomatic methods, each Party shall have a right to ask that the

ARTICLE II

La Commission Internationale sera composée de cinq membres nommés comme il suit: chaque Gouvernement désignera deux membres; le cinquième membre sera désigné d'un commun accord et ne pourra appartenir à l'une des nationalités déjà représentées dans la Commission. Il remplira les fonctions de Président.

Les deux Gouvernements supporteront par moitié les frais de la Commission.

La Commission sera constituée dans les six mois de l'éxchange de la présente Convention.

Les membres sont nommés pour une année et leur mandat peut être renouvelé. Ils restent en fonctions jusqu'à leur remplacement ou jusqu'au renouvellement de leur mandat, ou encore jusqu'à l'achèvement de leurs travaux en cours au moment de l'expiration de leur mandat.

Il sera pourvu aux vacances qui se produiraient suivant le mode fixé pour la nomination.

ARTICLE III

Dans le cas où il s'élèverait entre les Hautes Parties Contractantes un différend qui ne serait pas réglé par la voie diplomatique, chaque Partie aura le droit de

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examination thereof be intrusted to the International Commission charged with making a report. Notice shall be given to the President of the International Commission, who shall at once communicate with his colleagues.

As regards the procedure which it is to follow, the Commission shall as far as possible be guided by the provisions contained in articles 9 to 36 of Convention I of The Hague of 1907.[1]

The High Contracting Parties agree to afford the Commission, as fully as they may think possible, all means and all necessary facilities for its examination and its report.

The work of the Commission shall be completed within one year from the date on which it has taken jurisdiction of the case, unless the High Contracting Parties should agree to set a different period.

The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

The High Contracting Parties reserve full liberty as to the action to be taken on the report of the Commission.

demander que l'examen en soit confié à la Commission Internationale chargée de faire un rapport. Notification sera faite au Président de la Commission Internationale qui se mettra aussitôt en relations avec ses collègues.

La Commission s'inspirera dans la mesure du possible, quant à la procédure qu'elle aura à suivre, des dispositions contenues dans les articles 9 à 36 de la Convention I de La Haye de 1907. **Procedure.**

Les Hautes Parties Contractantes conviennent de fournir à la Commission, dans la plus large mesure qu'Elles jugeront possible, tous les moyens et toutes les facilités nécessaires à son examen et à son rapport. **Facilities for investigation, etc.**

Les travaux de la Commission devront être terminés dans l'année du jour où elle aura été saisie, à moins que les Hautes Parties Contractantes ne tombent d'accord pour la fixation d'un autre délai. **Time for report.**

Les conclusions de la Commission et les termes de son rapport seront arrêtés à la majorité. Le rapport signé par le Président seul, agissant en vertu de sa qualité, sera transmis par ses soins à chacune des Parties Contractantes.

Les Hautes Parties Contractantes se réservent une entière liberté pour la suite à donner au rapport de la Commission. **Independent action reserved.**

[1] *U. S. Statutes at Large*, vol. 36, pp. 2214-20.

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ARTICLE IV

Ratification.

The present Treaty shall be ratified by the President of the United States of America, with the advice and consent of the Senate of the United States, and by His Majesty the Emperor of all the Russias.

It shall go into force immediately after the exchange of ratifications and shall last five years.

Duration.

If it has not been denounced at least six months before the expiration of this period it shall be tacitly renewed for a period of twelve months after either party shall have notified the other of its intention to terminate it.

Signatures.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty and have affixed thereunto their seals.

Done at Washington this 1 October/18 September, 1914.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] G. BAKHMÉTEFF

ARTICLE IV

Le présent Traité sera ratifié par le Président des Etats Unis d'Amerique, sur l'avis et avec le consentement du Sénat des Etats Unis, et par Sa Majesté l'Empereur de Toutes les Russies.

Il entrera en vigueur aussitôt après l'échange des ratifications et aura une durée de cinq années.

S'il n'a pas été dénoncé au moins six mois avant l'expiration de ce délai, il sera renouvelé par tacite reconduction pour une durée de douze mois après que l'une des Hautes Parties Contractantes aura notifié à l'autre son intention d'y mettre terme.

En foi de quoi les Plénipotentiaires ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Washington le 1er octobre/18 septembre, 1914.

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Treaty between the United States and Spain for the Advancement of General Peace[1]

Treaty for the settlement of disputes between the two countries.

Tratado para el arreglo de conflictos entre los dos Países.

The President of the United States of America and His Majesty the King of Spain, desiring to strengthen the friendly relations which unite their two countries and to serve the cause of general peace, have decided to conclude a treaty for these purposes and have consequently appointed the plenipotentiaries designated hereinafter, to-wit:

El Presidente de los Estados Unidos de América y Su Majestad el Rey de España, deseando afianzar las amistosas relaciones que unen á sus respectivas naciones y servir la causa de la paz general, hán resuelto celebrar un Tratado inspirado en tales fines y hán nombrado, en consecuencia, los plenipotenciarios que á continuación se designan, á saber:

Contracting Powers.

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State of the United States; and

El Presidente de los Estados Unidos de América, al Honorable Señor William Jennings Bryan, Secretario de Estado de los Estados Unidos; y

Plenipotentiaries.

His Majesty the King of Spain, His Excellency Señor Don Juan Riaño y Gayangos, His Ambassador in Washington;

Su Majestad el Rey de España, al Excmo. Señor Don Juán Riaño y Gayangos, Su Embajador en Washington;

Who, after exhibiting to each other their full powers, found to be in due and proper form, have agreed upon the following articles:

Quienes después de haber presentado sus plenos poderes, debidamente extendidos, hán expresado su conformidad con el articulado siguiente:

Article 1

Artículo I

Disputes to be submitted to International Commission for investigation and report.

Any disputes arising between the Government of the United States of America and the Government of Spain, of whatever

Todo litigio surgido entre el Gobierno de los Estados Unidos de América y el Gobierno de España, sea cual fuere su índole,

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1862. Signed at Washington, September 15, 1914; ratification advised by the Senate, September 25, 1914; ratified by the President, November 23, 1914; ratified by Spain, November 23, 1914; ratifications exchanged at Washington, December 21, 1914; proclaimed, December 23, 1914.

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nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to arbitration, be submitted for investigation and report to a Permanent International Commission constituted in the manner prescribed in the following article.

Status pending report.

The High Contracting Parties agree not to resort, with respect to each other, to any act of force during the investigation to be made by the Commission and before its report is handed in.

será sometido,—de fracasar los procedimientos diplomáticos usuales y de no recurrir las Altas Partes Contratantes al arbitraje, —al examen é informe de una Comisión internacional permanente, constituida según lo prescrito en el artículo siguiente.

Las Altas Partes Contratantes se comprometen á no propasarse, la una con respecto á la otra, á ningún acto de fuerza, durante la investigación que efectuará la Comisión y antes de la entrega de sus conclusiones.

ARTICLE 2

International Commission. Composition.

The International Commission shall be composed of five members appointed as follows: Each Government shall designate two members, only one of whom shall be of its own nationality; the fifth member shall be designated by common consent and shall not belong to any of the nationalities already represented on the Commission; he shall perform the duties of President.

In case the two Governments should be unable to agree on the choice of the fifth commissioner, the other four shall be called upon to designate him, and failing an understanding between them, the provisions of article

ARTÍCULO II

La Comisión internacional se compondrá de cinco vocales nombrados de la manera siguiente: cada Gobierno designará dos miembros, de los cuales uno sólo podra ser de su nacionalidad; el quinto miembro será designado de común acuerdo y no podrá pertenecer á ninguna nacionalidad ya representada en la Comisión; desempeñará las funciones de Presidente.

En el caso de que los dos Gobiernos no pudiesen ponerse de acuerdo sobre la designación del quinto comisionado, los cuatro restantes serán llamados á designarle y, de no llegar tampoco éstos á una inteligencia, se

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45 of The Hague Convention of 1907[1] shall be applied.

The Commission shall be organized within six months from the exchange of ratifications of the present convention.

The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work on which they are engaged at the time their office expires is completed.

Any vacancies which may arise (from death, resignation, or cases of physical or moral incapacity) shall be filled within the shortest possible period in the manner followed for the original appointment.

The High Contracting Parties shall, before designating the Commissioners, reach an understanding in regard to their compensation. They shall bear by halves the expenses incident to the meeting of the Commission.

aplicará lo dispuesto en el art. 45 de la Convención de La Haya de 1907.

Organization. La Comisión quedará constituida dentro de un período de seis meses á contar desde el canje de ratificaciones del presente convenio.

Term of services. El mandato de los miembros será de un año y será renovable. Continuarán en funciones hasta ser remplazados ó confirmados en su mandato ó bien hasta finalizar los trabajos pendientes al momento de expirar su misión.

Vacancies. Las vacantes que puedan surgir, (por causa de fallecimiento, dimisión ó caso de incapacidad física ó moral), serán provistas en el más breve plazo posible y en la misma forma que presidió al nombramiento.

Compensation and expenses. Las Altas Partes Contratantes se pondrán de acuerdo sobre la remuneración que haya de señalarse á los comisionados, antes de proceder á la designación de estos. Los gastos originados por la reunión de la Comisión se sufragarán por mitad.

Article 3

In case a dispute should arise between the High Contracting Parties which is not settled by the ordinary methods, each Party

Artículo III

Duties of Commission. Caso de surgir entre las Altas Partes Contratantes alguna diferencia no solucionada por la vía común, cada parte podrá

[1] *U. S. Statutes at Large*, vol. 36, p. 2223.

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shall have a right to ask that the investigation thereof be intrusted to the International Commission charged with making a report. Notice shall be given to the President of the International Commission, who shall at once communicate with his colleagues.

Offer of services.

In the same case the President may, after consulting his colleagues and upon receiving the consent of a majority of the members of the Commission, offer the services of the latter to each of the Contracting Parties. Acceptance of that offer declared by one of the two Governments shall be sufficient to give jurisdiction of the case to the Commission in accordance with the foregoing paragraph.

Place of meeting.

The place of meeting shall be determined by the Commission itself.

exigir que el exámen de élla se someta á la Comisión internacional capacitada para emitir informe. Se dará cuenta al Presidente de la misma, quien seguidamente se pondrá en relación con sus colegas.

En análogo caso, el Presidente, previa consulta con sus colegas y mediante el consentimiento de la mayoría de los miembros de la Comisión, puede ofrecer los buenos oficios de ésta á cada una de las Partes Contratantes. Basta que uno de los dos Gobiernos manifieste su aquiescencia para que la Comisión considere el asunto de su competencia, según dispuesto en el párrafo anterior.

El lugar de la reunión se determinará por la Comisión misma.

ARTICLE 4

Statement of subject-matter referred.

The two High Contracting Parties shall have a right, each on its own part, to state to the President of the Commission what is the subject-matter of the controversy. No difference in these statements, which shall be furnished by way of suggestion, shall arrest the action of the Commission.

ARTÍCULO IV

Las dos Altas Partes Contratantes tendrán el derecho de precisar, cada una de su lado, ante el Presidente de la Comisión, lo que constituye el objeto del litigio. Ninguna divergencia que pueda haber entre los dos alegatos, dados á título de sugerimiento, podrá coartar la acción de la Comisión.

ARTICLE 5

Procedure.

As regards the procedure which it is to follow, the Commission

ARTÍCULO V

El cuanto se refiere al procedimiento que haya de adoptar la

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shall as far as possible be guided by the provisions contained in articles 9 to 36 of Convention 1 of The Hague of 1907.[1]

Comisión se inspirará en lo posible en el tenor de los artículos 9 á 36 del Convenio I de El Haya de 1907.

Facilities for investigation.

The High Contracting Parties agree to afford the Commission all means and all necessary facilities for its investigation and report.

Las Altas Partes Contratantes convienen en suministrar á la Comisión, todos los medios y facilidades necesarios para la investigación é informe que la están encomendados.

Completion of work.

The work of the Commission shall be completed within one year from the date on which it has taken jurisdiction of the case, unless the High Contracting Parties should agree to set a different period.

Los trabajos de la Comisión deberán ultimarse dentro de un año á partir del día en que haya asumido su jurisdicción, á menos que las Altas Partes Contratantes no fijen, de común acuerdo, otro plazo.

Transmittal of report.

The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

Las conclusiones de la Comisión y la redacción de su informe se adoptarán por mayoría de votos. El informe, firmado tan solo por el Presidente actuando como tal, será remitido por él á cada una de las Partes Contratantes.

Independent action reserved.

The High Contracting Parties reserve full liberty as to the action to be taken on the report of the Commission.

Las Altas Partes Contratantes se reservan la más amplia libertad por lo que afecta á su proceder después de la emisión del informe de la Comisión.

ARTICLE 6

The present treaty shall be ratified by the President of the United States of America, with the advice and consent of the Senate of the United States, and by

ARTÍCULO VI

Ratification.

El presente Tratado será ratificado por El Presidente de los Estados Unidos de América, previa consulta y aprobación del Senado de los Estados Unidos, y

[1] *U. S. Statutes at Large*, vol. 36, pp. 2214–20.

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His Majesty the King of Spain.

por Su Majestad El Rey de España.

Exchange of ratifications.

It shall go into force immediately after the exchange of ratifications and shall last five years.

Se considerará vigente una vez verificado el canje de ratificaciones y su duración sera de cinco años.

Duration and denouncement.

Unless denounced six months at least before the expiration of the said period of five years, it shall remain in force until the expiration of a period of twelve months after either party shall have notified the other of its intention to terminate it.

De no haber sido denunciado seis meses cuando menos antes de la expiración de este plazo, quedará en vigor hasta terminado un plazo de doce meses posteriores á la notificación hecha por una de las Partes Contratantes á la otra, de considerarlo terminado.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Washington this 15th day of September, in the year nineteen hundred and fourteen.

Y en fé de ello, los respectivos plenipotenciarios han firmado y sellado el presente Tratado.

Hecho en Washington el 15 de septiembre de mil novecientos catorce.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] JUAN RIAÑO Y GAYANGOS

[*The Secretary of State to the Spanish Ambassador*]

DEPARTMENT OF STATE,
November 16, 1915

Excellency:

The time specified in the Treaty of September 15, 1914, between the United States and Spain, looking to the advancement of the general cause of peace, for the appointment of the International Commission having expired, without the United States non-national Commissioner, the Spanish Commissioners and the Joint Commissioner being named, I have the honor to suggest for the consideration of your Government that the time within which the organization of the Commission may be completed be extended from June 21, 1915 to February 15, 1916.

Your formal notification in writing, that your Government receives

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the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Excellency, the renewed assurances of my highest consideration.

ROBERT LANSING

His Excellency
Señor DON JUAN RIAÑO Y GAYANGOS,
The Ambassador of Spain.

[*The Spanish Ambassador to the Secretary of State*]

[Translation]

EMBASSY OF SPAIN,
Washington, December 20, 1915.

Mr. Secretary:

With reference to Your Excellency's note of November 16 last, I have the honor to inform you that His Majesty's Government, according to a telegram I have received, concurs in extending from the 21st of June, 1915, to the 15th of February, 1916, the time set by the Treaty of September 15, 1914, for the appointment of the International Commission therein specified.

In so informing Your Excellency, I avail myself of this opportunity to renew to you the assurance of my highest consideration.

JUAN RIAÑO

To the Hon. ROBERT LANSING
Secretary of State of the United States
&c., &c., &c.

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Treaty between the United States and Sweden for the Advancement of General Peace[1]

Treaty for the Settlement of Disputes.

Contracting Powers.

The President of the United States of America and His Majesty the King of Sweden, desiring to strengthen the friendly relations which unite their two countries and to serve the cause of general peace, have decided to conclude a treaty for these purposes and have consequently appointed the plenipotentiaries designated hereinafter, to-wit:

Plenipotentiaries.

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State of the United States; and

His Majesty the King of Sweden, Mr. W. A. F. Ekengren, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after exhibiting to each other their full powers, found to be in due and proper form, have agreed upon the following articles:

Traité pour le Règlement des Litiges.

Le Président des Etats-Unis d'Amérique et Sa Majesté le Roi de Suède, désirant affirmer les relations amicales qui unissent leurs deux pays et servir la cause de la paix générale, ont décidé de conclure un traité à ces fins et nommé, en conséquence, les plénipotentiaires ci-après désignés, savoir:

Le Président des Etats-Unis d'Amérique: l'Honorable William Jennings Bryan, Secrétaire d'Etat des Etats-Unis;
et

Sa Majesté le Roi de Suède: Monsieur W. A. F. Ekengren, Son Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

ARTICLE 1

Disputes to be submitted to International Commission for investigation and report.

Any disputes arising between the Government of the United

ARTICLE I

Tous différends s'élevant entre le Gouvernement des Etats-Unis

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1872. Signed at Washington, October 13, 1914; ratification advised by the Senate, October 22, 1914; ratified by Sweden, November 13, 1914; ratified by the President, January 4, 1915; ratifications exchanged at Washington, January 11, 1915; proclaimed, January 12, 1915.

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States of America and the Government of His Majesty the King of Sweden, of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to arbitration, be submitted for investigation and report to a permanent International Commission constituted in the manner prescribed in the following article.

The High Contracting Parties agree not to resort, with respect to each other, to any act of force during the investigation to be made by the Commission and before its report is handed in.

d'Amérique, et le Gouvernement de Sa Majesté le Roi de Suède, de quelque nature qu'ils soient, lorsque les procédés diplomatiques ordinaires auront échoué et que les Hautes Parties contractantes n'ont pas recours à l'arbitrage, seront soumis, pour examen et rapport, à une Commission Internationale permanente, constituée de la manière prescrite dans l'article suivant.

Les Hautes Parties contractantes conviennent de ne se livrer, l'une vis-à-vis de l'autre, à aucun acte de force durant l'examen auquel procèdera la Commission et avant la remise de son rapport.

Status pending report.

ARTICLE 2

The International Commission shall be composed of five members appointed as follows: Each Government shall designate two members, only one of whom shall be of its own nationality; the fifth member shall be designated by common consent and shall not belong to any of the nationalities already represented on the Commission; he shall perform the duties of President.

In case the two Governments should be unable to agree on the choice of the fifth commissioner, the other four shall be called upon to designate him, and failing an understanding between them, the provisions of article 45

ARTICLE II

La Commission internationale sera composée de cinq membres nommés comme il suit: chaque Gouvernement désignera deux membres, dont un seulement de sa nationalité: le cinquième membre sera désigné d'un commun accord et ne pourra appartenir à une des nationalités déjà représentées dans la Commission: il remplira les fonctions de Président.

Au cas où les deux Gouvernements ne pourraient se mettre d'accord sur le choix du cinquième commissaire, les quatre autres seraient appelés à le désigner, et à défaut d'entente entre ceux-ci, les dispositions de l'article 45 de la

International Commission. Composition.

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of The Hague Convention of 1907[1] shall be applied.

Organization.

The Commission shall be organized within six months from the exchange of ratifications of the present convention.

Term of service.

The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work on which they are engaged at the time their office expires is completed.

Vacancies.

Any vacancies which may arise (from death, resignation, or cases of physical or moral incapacity) shall be filled within the shortest possible period in the manner followed for the original appointment.

Compensation and expenses.

The High Contracting Parties shall, before designating the Commissioners, reach an understanding in regard to their compensation. They shall bear by halves the expenses incident to the meeting of the Commission.

Convention de La Haye de 1907 seraient appliquées.

La Commission sera constituée dans les six mois de l'échange des ratifications de la présente convention.

Les membres sont nommés pour une année et leur mandat peut être renouvelé. Ils restent en fonctions jusqu'à leur remplacement ou jusqu'au renouvellement de leur mandat, ou encore jusqu'à l'achèvement de leurs travaux en cours au moment de l'expiration de leur mandat.

Il sera pourvu dans le plus bref délai aux vacances qui se produiraient (décès, démission, cas de force majeure) suivant le mode employé pour la nomination.

Les Hautes Parties contractantes s'entendront avant qu'il soit procédé à la designation des commissaires relativement à la rémunération de ceux-ci. Elles supporteront par moitié les frais auxquels donnerait lieu la réunion de la commission.

ARTICLE 3

Duties of Commission.

Differences that may happen to occur between the High Contracting Parties and should fail of settlement by diplomatic methods shall be forthwith referred to the examination of the International Commission which

ARTICLE III

Les différends, qui viendraient à se produire entre les Hautes Parties contractantes et qui n'auraient pu être réglés par la voie diplomatique, seront aussitôt renvoyés à l'examen de la Commission internationale, qui se char-

[1] *U. S. Statutes at Large*, vol. 36, p. 2223.

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will undertake to make a report. By a note addressed to the International Bureau of the Permanent Court at The Hague, which shall communicate it without delay to both Governments, the President may remind the Parties that the services of the International Commission are at their disposal.

ARTICLE 4

The two High Contracting Parties shall have a right, each on its own part, to state to the President of the Commission what is the subject-matter of the controversy. No difference in these statements, which shall be furnished by way of suggestion, shall arrest the action of the Commission.

In case the cause of the dispute should consist of certain acts already committed or about to be committed, the Commission shall as soon as possible indicate what measures to preserve the rights of each party ought in its opinion to be taken provisionally and pending the delivery of its report.

ARTICLE 5

As regards the procedure which it is to follow, the Commission shall as far as possible be guided by the provisions contained in articles 9 to 36 of Convention 1 of The Hague of 1907.[1]

gera de faire un rapport. Par une note, adressée au Bureau International de la Cour Permanente à La Haye, qui doit la communiquer sans délai aux deux Gouvernements le Président peut rappeler aux parties que les services de la Commission Internationale seront à leur disposition.

ARTICLE IV

Les deux Hautes Parties contractantes auront le droit de préciser, chacune de son côté, auprès du Président de la Commission, quel est l'objet du litige. Nulle différence dans ces exposés, fournis à titre d'indication, n'arrêtera l'action de la Commission. Statement of subject-matter referred.

Dans le cas où la cause du différend consisterait en actes déterminés déjà effectués ou sur le point de l'être, la Commission indiquera, dans le plus bref délai possible, quelles mesures, conservatoires des droits de chacun, devraient, selon son avis, être prises à titre provisoire et en attendant le dépôt de son rapport. Provisional action.

ARTICLE V

La Commission s'inspirera, dans la mesure du possible, quant à la procédure qu'elle aura à suivre, des dispositions contenues dans les articles 9 à 36 de la Convention 1 de La Haye de 1907. Procedure.

[1] *U. S. Statutes at Large*, vol. 36, pp. 2214–20.

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Facilities for investigation.

The High Contracting Parties agree to afford the Commission all means and all necessary facilities for its investigation and report.

Les Hautes Parties contractantes conviennent de fournir à la Commission tous les moyens et toutes les facilités nécessaires à son examen et à son rapport.

Completion of work.

The work of the Commission shall be completed within one year from the date on which it has taken jurisdiction of the case, unless the High Contracting Parties should agree to set a different period.

Les travaux de la Commission devront être terminés dans l'année du jour où elle aura été saisie, à moins que les Hautes Parties contractantes ne tombent d'accord pour la fixation d'un autre délai.

Transmittal of report.

The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

Les conclusions de la Commission et les termes de son rapport seront arrêtés à la majorité. Le rapport, signé par le Président seul, agissant en vertu de sa qualité, sera transmis par ses soins à chacune des Parties contractantes.

Independent action reserved.

The High Contracting Parties reserve full liberty as to the action to be taken on the report of the Commission.

Les Hautes Parties contractantes se réservent une entière liberté pour la suite à donner au rapport de la Commission.

ARTICLE 6

ARTICLE VI

Ratification.

The present treaty shall be ratified by the President of the United States of America, upon his being authorized thereto by the American Senate, and by His Majesty the King of Sweden.

Le présent traité sera ratifiée par le Président des Etats-Unis, après y avoir été autorisé par le Sénat américain, et par Sa Majesté le Roi de Suède. Les ratifications seront échangées à Washington aussitôt que faire se pourra et la traité entrera en vigueur le jour de l'échange des ratifications.

Exchange of ratifications.

The ratifications shall be exchanged at Washington as soon as possible and the treaty shall go into force on the day of the exchange of ratifications.

Duration.

Its duration shall be five years counted from the exchange of ratifications.

Il aura une durée de cinq années à partir de l'échange des ratifications.

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Unless denounced six months at least before the expiration of the said period it shall continue by tacit renewal for another period of five years and so on in periods of five years unless denounced.

S'il n'a pas été dénoncé au moins six mois avant l'expiration de ce délai, il sera renouvelé par tacite reconduction pour une nouvelle période de cinq ans et ainsi de suite de cinq ans en cinq ans, sauf dénonciation.

Denouncement.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Washington this 13th day of October, in the year nineteen hundred and fourteen.

En foi de quoi les plénipotentiaires respectifs ont signé le présent traité et y ont apposé leurs cachets.

Fait à Washington le 13 Octobre de l'an mille neuf cent quatorze.

Signatures.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] W. A. F. EKENGREN

[*The Secretary of State to the Swedish Minister*]

DEPARTMENT OF STATE,
Washington, November 16, 1915.

Sir:

The time specified in the Treaty of October 13, 1914, between the United States and Sweden, looking to the advancement of the general cause of peace, for the appointment of the International Commission having expired, without the United States non-national Commissioner being named, I have the honor to suggest for the consideration of your Government that the time within which the organization of the Commission may be completed be extended from July 11, 1915, to January 15, 1916.

Your formal notification in writing, of the same date as this, that your Government receives the suggestion favorably, will be regarded on this Government's part as sufficient to give effect to the extension, and I shall be glad to receive your assurance that it will be so regarded by your Government also.

Accept, Sir, the renewed assurances of my highest consideration.

ROBERT LANSING

Mr. W. A. F. EKENGREN,
The Minister of Sweden.

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[*The Swedish Minister to the Secretary of State*]

LEGATION OF SWEDEN,
Washington, D. C., November 16, 1915.

Sir:

I have the honor to inform your Excellency that my Government accepts the suggestion contained in your Excellency's note of today's date that the time specified in the Treaty of the 13th October, 1914, between the United States and Sweden, for the appointment of the International Commission therein provided, be extended from July 11, 1915, to January 15, 1916.

With renewed assurances of my highest consideration I have the honor to remain your Excellency's most obedient servant.

W. A. F. EKENGREN

His Excellency
Mr. ROBERT LANSING,
Secretary of State,
etc., etc., etc.

Treaty between the United States and Uruguay for the Advancement of General Peace[1]

Contracting Powers.

The United States of America and the Oriental Republic of Uruguay, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y la República Oriental del Uruguay con el deseo de fortalecer los vínculos de amistad que los unen y á la vez cimentar el espíritu de paz universal han resuelto celebrar un Tratado con tal objeto y para ese fin han nombrado como sus Plenipotenciarios:

Plenipotentiaries.

The President of the United States, the Honorable William

El Presidente de los Estados Unidos, al Honorable William

[1] *U. S. Statutes at Large*, vol. 38, pt. 2, p. 1908. Signed at Washington, July 20, 1914; ratification advised by the Senate, August 13, 1914; ratified by Uruguay, November 25, 1914; ratified by the President, February 19, 1915; ratifications exchanged at Washington, February 24, 1915; proclaimed, February 26, 1915.

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Jennings Bryan, Secretary of State; and

The President of Uruguay, his Envoy Extraordinary and Minister Plenipotentiary to the United States, Señor Dr. Don Carlos Maria de Pena;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

Jennings Bryan, Secretario de Estado, y

El Presidente del Uruguay, a su Enviado Extraordinario y Ministro Plenipotenciario en los Estados Unidos, Doctor Don Carlos María de Pena;

Quienes, después de examinados sus respectivos Plenos Poderes, y encontrándolos en debida forma, han convenido en los artículos siguientes:

Article I

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

Artículo I

Disputes to be submitted to International Commission.

Las Altas Partes contratantes acuerdan que todas las desavenencias de cualquiera naturaleza que ellas sean y que en el hecho ó por los terminos de tratados de arbitraje existentes no estén comprendidas en sus estipulaciones, y que no hayan podido arreglarse por la vía diplomática serán sometidas para su investigación e informe a una Comisión Internacional constituída de la manera prescrita en el siguiente artículo; y convienen en no declararse la guerra o empezar hostilidades durante el período de la investigación y antes de presentado el informe.

Article II

The International Commission shall be composed of five members, to be appointed as follows:

Artículo II

International Commission. Composition.

La Comisión Internacional se compondrá de cinco miembros nombrados como sigue: un miem-

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One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. Each of the High Contracting Parties shall have the right to remove, at any time before investigation begins, any Commissioner selected by it and to name his successor, and under the same conditions shall also have the right to withdraw its approval of the fifth Commissioner selected jointly; in which case a new Commissioner shall be selected jointly as in the original selection. The

Compensation.

Commissioners shall, when actually employed in the investigation of a dispute, receive such compensation as shall be agreed upon by the High Contracting

Expenses.

Parties. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Appointment.

The International Commission shall be appointed as soon as possible after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

bro será escogido dentro del país, por su respectivo Gobierno; otro miembro será escogido por cada Gobierno, de un tercer país; el quinto miembro será escogido de común acuerdo por los dos Gobiernos; siendo entendido que no podrá serlo ningún ciudadano de uno de los dos paises interesados. Cada una de las Altas Partes contratantes se reserva el derecho de separar, antes que hayan comenzado las investigaciones, al comisionado que cada una hubiese elegido, y en tal caso se procederá a nombrar su reemplazante. Bajo la misma condición podrá cualquiera de las Partes contratantes retirar su aceptación del quinto comisionado elegido conjuntamente, y en este caso se procederá a una nueva elección en la forma ya establecida. Los comisionados recibirán la compensación que acuerden las Altas Partes contratantes tan sólo durante el tiempo que se ocupen de la investigación. Los gastos de la Comisión serán atendidos por mitad por los Gobiernos contratantes.

La Comisión Internacional será nombrada en el más corto plazo después del canje de las ratificaciones del Tratado; y las vacantes que ocurriesen serán llenadas según lo acordado para el nombramiento original.

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ARTICLE III

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, by unanimous agreement spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

The High Contracting Parties agree to furnish the permanent International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the

ARTÍCULO III

Duties of Commission.

En el caso de que no haya sido posible el arreglo de una cuestión entre las Altas Partes contratantes por los medios diplomáticos, ésta será referida inmediatamente a la Comisión Internacional para su investigación e informe. La Comisión Internacional podrá también por consentimiento unánime y por iniciativa propia ofrecer sus servicios para aquel efecto, y en tal caso deberá hacerlo saber a ambos Gobiernos y pedir su cooperación para la investigación.

Facilities for investigation, etc.

Las Altas Partes contratantes convienen en suministrar a la Comisión Permanente Internacional todos los medios y facilidades que demande para la investigación e informe.

Time for report.

El informe de la Comisión Internacional deberá estar listo dentro de un año contado desde la fecha que ella haya designado para empezar la investigación, a menos que las Altas Partes contratantes restringieran o extendieran el tiempo por mutuo consentimiento. El informe debe ser preparado por triplicado; una copia para ser entregada a cada Gobierno, y la tercera retenida por la Comisión para su archivo.

Independent action reserved.

Las Altas Partes contratantes se reservan el derecho de obrar independientemente en el asunto en disputa después que se les haya

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Commission shall have been submitted.

sometido el informe de la Comisión.

ARTICLE IV

Ratification.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of Uruguay, in accordance with the Constitution and laws thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

Duration.

ARTÍCULO IV

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Presidente de la República del Uruguay conforme a la constitución y leyes de la República; y las ratificaciones deberán ser canjeadas tan pronto como fuere posible. El presente tratado producirá sus efectos inmediatamente después del canje de las ratificaciones; continuará en vigor por cinco años, y sera obligatorio después por doce meses contados desde que una de las Altas Partes contratantes haya comunicado a la otra su intencion de terminarlo.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 20th day of July, in the year nineteen hundred and fourteen.

En fé de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pié sus sellos.

Hecho en Washington, el día 20 de julio, en el año de mil novecientos catorce.

WILLIAM JENNINGS BRYAN [SEAL]
CÁRL^{S} M^{A} DE PENA [SEAL]

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Part II
Unperfected Treaties

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Treaty between the United States and the Argentine Republic for the Advancement of General Peace[1]

The Governments of the United States of America and of the Argentine Republic, being desirous of once more contributing to the consolidation of their traditional policy of peace and amity and also to advance the diffusion of the spirit of universal peace, have resolved to enter into a special treaty and to that end have appointed as their plenipotentiaries:

Contracting Powers.

Los Gobiernos de los Estados Unidos de América y de la República Argentina, en el anhelo de contribuir una vez más á la consolidación de su política tradicional de paz y de amistad y con el propósito de fomentar la difusión del espíritu de paz universal, han convenido en concluir un Tratado Especial nombrando á este fin como sus Plenipotenciarios:

Plenipotentiaries.

The President of the United States of America: The Honorable William Jennings Bryan, Secretary of State; and

The President of the Argentine Republic: Doctor Rómulo S. Naón, Envoy Extraordinary and Minister Plenipotentiary of the Argentine Republic to the United States of America;

El Presidente de los Estados Unidos de América al Honorable William Jennings Bryan, Secretario de Estado; y

El Presidente de la República Argentina al Doctor Rómulo S. Naón, Enviado Extraordinario y Ministro Plenipotenciario de la República Argentina en los Estados Unidos de América;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

Los cuales, después de haberse comunicado los Plenos Poderes de que se hallan investidos, hallados en buena y debida forma, han convenido en las disposiciones siguientes:

Article I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, which it has not been possible to adjust through diplomatic meth-

Artículo I

Las Altas Partes Contratantes se obligan á someter todas las controversias de cualquier naturaleza que por cualquier causa surgieran entre ellas, á la investi-

[1] MS. Department of State. Signed at Washington, July 24, 1914; ratification advised by the Senate, August 13, 1914.

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ods, be referred for investigation and report to an International Commission to be constituted in the manner prescribed in the following article. And they further agree not to declare war or begin hostilities against each other during such investigation and before the report is submitted.

gación y al informe de una Comisión Internacional constituída en la forma establecida por el artículo siguiente, siempre que esas controversias no hayan podido ser solucionadas por la vía diplomática. Se obligan asimismo á no declararse la guerra ó iniciar hostilidades entre ellas mientras se produzca la investigación y antes que el informe haya sido sometido.

ARTICLE II

International Commission. Composition.

The International Commission mentioned in the preceding article shall be composed of five members, to be appointed as follows: Each Government shall appoint two members, one of whom shall be a citizen of the country whose government appoints him, and the other a citizen of some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either of the two contracting countries. In case of disagreement regarding the appointment of the fifth member, the two Governments shall request the President of the Swiss Confederation to choose such member. Said fifth member shall be of right the President of the International Commission.

Each Government shall have the right to revoke the appointment of either or both of the

ARTÍCULO II

La Comisión Internacional á que se refiere el artículo anterior será compuesta de cinco miembros designados en la siguiente forma: Cada Gobierno nombrará dos miembros, debiendo uno de ellos ser ciudadano del país cuyo Gobierno lo nombra y el otro ciudadano de un tercer país. El quinto deberá ser designado de común acuerdo por ambos Gobiernos, no pudiendo recaer la designación en un ciudadano de ninguno de los dos países contratantes. En el caso de desacuerdo sobre la elección del quinto, los dos Gobiernos pedirán al Presidente de la Confederación Suiza que haga la designación de él. Este quinto miembro será de derecho Presidente de la Comisión Internacional.

Cada Gobierno podrá revocar el nombramiento de cualquiera de los miembros designados por el,

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members chosen by it, at any time before the investigation is begun, but must appoint his or their successors at the time his or their appointments are revoked. If the fifth member be chosen by common agreement between the High Contracting Parties, they may also at any time before the investigation is begun, withdraw their approval, but shall in such case come to an agreement within the next thirty days as to the appointment of a successor or request the President of the Swiss Confederation to make such appointment. Vacancies due to other causes than those enumerated in this article shall be filled in the manner established for the original appointment, and the new appointments shall not be delayed more than fifteen days from the date on which notice of the vacancy was received. The International Commission shall organize within six months after the exchange of the ratifications of this treaty, and shall report its organization to both Governments on the same date. It shall prescribe the rules of practice to be observed in the discharge of its mission, and shall also designate the place where the investigations are to be conducted. The expenses of the Commission and the compensation of its members shall be paid by the two contract-

en cualquier momento antes de iniciada la investigación, debiendo sin embargo designar el ó los reemplazantes en el mismo acto en que produzca la revocación. Si el quinto miembro hubiera sido designado de común acuerdo por las Altas Partes Contratantes, éstas podrán también en cualquier momento antes de iniciada la investigación, retirar ese acuerdo, debiendo sin embargo dentro de los treinta días siguientes ponerse de acuerdo en la designación del reemplazante ó pedir al Presidente de la Confederación Suiza que haga esa designación. Las vacantes que se produjeran por otras causas que las enumeradas en este artículo serán llenadas en la forma establecida para la designación original, no debiendo las nuevas designaciones retardarse más de quince días á contar desde aquel en que se haya tenido noticia de la vacante. La Comisión Internacional se constituirá dentro de los seis meses siguientes al cange de las ratificaciones del presente Tratado, debiendo dar cuenta de su constitución á ambos Gobiernos en la misma fecha. Ella establecerá las reglas de procedimiento á que deberá ajustarse en el desempeño de su misión y designará asímismo el lugar en que se practicarán las investigaciones. Los gastos de la Comisión y los honorarios de sus miembros

Vacancies.

Organization.

Expenses.

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ing Governments in equal proportion.

serán sufragados por partes iguales por los dos Gobiernos contratantes.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust their disputes by diplomatic methods, they shall at once be referred to the International Commission for investigation and report, and either of the two interested governments may make the respective reference. The High Contracting Parties agree to furnish the International Commission with all the facilities which it requires for the proper discharge of its trust, and it shall complete its investigation and submit its report within a period of one year from the date on which it shall declare its investigation to have begun. If for reasons of *force majeure* it shall not have found it possible to complete its investigation or submit its report within the said period, it may be extended for six months more, if the High Contracting Parties agree in this respect. Upon the submission of its report by the International Commission, or if for any reason whatsoever no report is submitted within the term fixed in this article, the High Contracting Parties reserve the right to act in the subject matter of the investiga-

Facilities for investigation.

Time for report.

Independent action reserved.

ARTÍCULO III

Cuando las Altas Partes Contratantes no hayan podido solucionar sus diferencias por la vía diplomática, ellas serán inmediatamente referidas para su investigación é informe á la Comisión Internacional, pudiendo cualquiera de los dos Gobiernos interesados hacer la convocatoria respectiva. Las Altas Partes Contratantes se obligan á suministrar á la Comisión Internacional todas las facilidades que reclame el mejor desempeño de su cometido, y ella deberá terminar su investigación y presentar su Informe dentro del término de un año á contar desde la fecha en que hubiese declarado que habia empezado la investigación. Si por razones de fuerza mayor no hubiera podido completarse la investigación ó redactarse el Informe dentro de ese término, podrá él ser ampliado por seis meses más, siempre que estuvieran de acuerdo á este respecto las Altas Partes Contratantes. Sometido el Informe por la Comisión Internacional á los respectivos Gobiernos, ó no producido él por cualquier motivo dentro de los términos fijados en el presente artículo, las Altas Partes Contra-

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tion and report as their respective interests may demand.

tantes se reservan el derecho de proceder en el asunto materia de investigación é informe como lo reclamen sus respectivos intereses.

ARTICLE IV

The present treaty shall be ratified by the respective Governments in accordance with the provisions of their respective constitutions, and the ratifications shall be exchanged as soon as possible.

ARTÍCULO IV

El presente Tratado será ratificado por los respectivos Gobiernos de acuerdo con lo establecido por sus respectivas Constituciones, debiendo hacerse el cange de dichas ratificaciones tan pronto como fuere posible. Exchange of ratifications.

This treaty shall continue in force for five years from the date of the exchange of ratifications and if notice of an intention to terminate it is not given by one of the Contracting Parties to the other one year before the termination of this period, it shall be considered as renewed for another year, and so on successively. A strict and faithful observance of the preceding article is entrusted to the honor of the signatory nations.

Este Tratado estará en vigencia durante cinco años á contar desde el cange de las ratificaciones y si no es denunciado un año antes de su vencimiento se considerará renovado por otro año, y así sucesivamente. El estricto y leal cumplimiento de las cláusulas precedentes queda confiado al honor de las naciones signatarias. Duration.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 24th day of July, in the year of our Lord nineteen hundred and fourteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pie sus sellos. Signatures.

Hecho en Washington, el día 24 de julio, en el año de Nuestro Señor mil novecientos catorce.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] R. S. NAÓN

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Treaty between the United States and the Dominican Republic for the Advancement of General Peace[1]

Contracting Powers.

The United States of America and the Dominican Republic, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

The President of the Dominican Republic, Señor Don Francisco J. Peynado, Envoy Extraordinary and Minister Plenipotentiary of the Dominican Republic to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

Los Estados Unidos de América y la República Dominicana, en el deseo de fortalecer los vínculos de amistad que los unen y tambien avanzar la causa de la Paz general, han resuelto celebrar un Tratado con tal objeto, y con este fin han nombrado como sus Plenipotenciarios:

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado; y

El Presidente de la República Dominicana, al Señor Don Francisco J. Peynado, Plenipotenciario en Misión Especial en los Estados Unidos;

Quienes despues de haberse comunicado sus respectivos Plenos Poderes, que encontraron en debida forma, han convenido en los siguientes artículos:

Article I

Differences of a legal nature to be referred to Permanent Court of Arbitration.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not

Artículo I

Todas las diferencias que puedan surgir de naturaleza legal o relativa a la interpretación de tratados que existan entre las dos Altas Partes contratantes y que

[1] MS. Department of State. Signed at Washington, February 17, 1914.

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have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

no hayan podido ser arregladas por la diplomacia, seran referidas a la Corte Permanente de Arbitraje establecida en La Haya, a menos, sin embargo, que ellas afecten los intereses vitales, la independencia o el honor de cualquiera de los Estados contratantes, o concierna a los intereses de terceras partes.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of the Dominican Republic by its President, with the approval of its Congress.

Those special agreements will be obligatory only when confirmed by the two Governments through an exchange of notes.

ARTÍCULO II

Special agreement.

En cada caso, las Altas Partes contratantes, antes de recurrir a la Corte Permanente de Arbitraje, concluiran un convenio especial que defina claramente la materia en disputa, la extensión de los poderes de los Arbitros, y los períodos de tiempo que hayan de fijarse para la formación del Tribunal Arbitral y para las diversas faces del procedimiento.

Queda entendido que tales convenios especiales seran hechos, en nombre de los Estados Unidos, por su Presidente, de acuerdo y con el consentimiento de su Senado; y en nombre de la República Dominicana, por su Presidente, con la aprobación de su Congreso.

Esos convenios solo seran obligatorios cuando esten confirmados por los dos Gobiernos con un cambio de Notas.

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Article III

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall have failed to settle or refer to the Permanent Court at The Hague, shall be referred for investigation and report to a permanent International Commission, which shall be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation or before the report is submitted.

Artículo III

Las Altas Partes contratantes convienen en que todas las desavenencias, de cualquier naturaleza que fueren, que la diplomacia no hubiere podido arreglar ni someter al arbitraje de la Corte Permanente de La Haya, deberan ser sometidas para su investigación e informe a una Comisión Internacional, la cual deberá constituirse de la manera prescrita en el próximo siguiente artículo; y convienen en no declararse guerra ni empezar hostilidades durante tal investigación ni antes que el informe haya sido sometido.

Article IV

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. Each of the High Contracting Parties shall have the right to remove, at any time before the investigation begins, any one of its Commissioners, and in that case shall immediately name his successor, and under the same

Artículo IV

La Comisión Internacional deberá componerse de cinco miembros, que seran nombrados como sigue: un miembro deberá ser escojido de cada país, por su respectivo Gobierno; un miembro deberá ser escojido por cada Gobierno, de un tercer país; el quinto miembro deberá ser escojido de comun acuerdo entre los dos Gobiernos, entendiéndose que este no deberá ser ciudadano de ninguno de los dos paises interesados. Cada una de las Altas Partes contratantes se reserva el derecho de remover, antes que haya comenzado la investigación, a cualquiera de sus comisionados, y en tal caso procederá a reempla-

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conditions shall also have the right to withdraw its approval of the fifth Commissioner selected jointly; in which case a new Commissioner shall be selected jointly as in the original selection. The Commissioners shall, when actually employed in the investigation of a dispute, receive such compensation as shall be agreed upon by the High Contracting Parties. The expenses of the Commission shall be paid by the two Governments in equal proportion.

zarlo inmediatamente. Bajo las mismas condiciones podrá cualquiera de las Partes contratantes retirar su aprobación del quinto comisionado elejido conjuntamente, y en este caso se escojerá conjuntamente un nuevo comisionado, en la forma original. Los comisionados recibiran la retribución que acuerden las Altas Partes contratantes, pero solamente durante el tiempo que empleen en la investigación. Los gastos de la Comisión deberan ser pagados por los dos Gobiernos en partes iguales.

Compensation.

Expenses.

The International Commission shall be appointed as soon as possible after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

La Comisión Internacional deberá ser nombrada dentro de cuatro meses despues del canje de las ratificaciones del Tratado; y las vacantes deberan ser llenadas de acuerdo con la manera del nombramiento original.

Appointment.

ARTICLE V

In case the High Contracting Parties shall have failed to adjust, or refer to arbitration, a dispute by diplomatic methods, they shall at once refer it to the International Commission. The International Commission may, however, act on its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

ARTÍCULO V

En el caso de que las Altas Partes contratantes no hubieren podido arreglar una desavenencia por los medios diplomáticos, ni someterla a arbitraje, deberan inmediatamente referirla a la Comisión Internacional. La Comisión Internacional puede, sin embargo, actuar por su propia iniciativa, y en tal caso deberá notificarlo a ambos Gobiernos y pedirles su cooperación en la investigación.

Duties of Commission.

The High Contracting Parties

Las Altas Partes contratantes

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Facilities for investigation.

agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

convienen en suministrar a la Comisión Internacional todos los medios y facilidades necesarias para su investigación e informe.

Time for report.

The report of the International Commission shall be rendered within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate in the language of either of the two High Contracting Parties that the Commission may select, one copy shall be presented to each Government, and the third retained by the Commission for its files.

El informe de la Comisión Internacional deberá ser rendido dentro de un año despues de la fecha en la cual haya declarado haber empezado su investigación, a menos que las Altas Partes contratantes limitaren o extendieren el tiempo por mutuo consentimiento. El informe deberá ser preparado por triplicado, en cualquiera de los dos idiomas de las Altas Partes contratantes que escoja la Comisión; una copia deberá ser entregada a cada Gobierno, y la tercera retenida por la Comisión para su archivo.

Independent action reserved.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

Las Altas Partes contratantes se reservan el derecho de obrar independientemente en el asunto en disputa, despues que el informe de la Comisión se les haya sometido.

Article VI

Exchange of ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Dominican Republic, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifica-

Artículo VI

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado Americano; y por el Presidente de la República Dominicana con la aprobación del Congreso de esta República; y las ratificaciones deberan ser canjeadas tan pronto como fuere posible. Deberá entrar en vigor in-

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tions, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

Duration.

mediatamente despues del canje de ratificaciones; continuar en fuerza por un período de cinco años, y, ademas, permanecer vijente hasta doce meses despues que una de las Altas Partes contratantes haya notificado a la otra la intención de terminarlo.

In witness whereof, the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 17th day of February, in the year of our Lord nineteen hundred and fourteen.

Signatures.

En fe de lo cual, los respectivos Plenipotenciarios han firmado por duplicado el presente Tratado y puesto al pié sus sellos.

Hecho en Washington el día 17 de Febrero, en el año de Nuestro Señor de mil novecientos catorce.

[SEAL] WILLIAM JENNINGS BRYAN.
[SEAL] FRAN^co^ J. PEYNADO.

Treaty between the United States and Greece for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and His Majesty the King of the Hellenes, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

His Majesty the King of the Hellenes, Mr. Agamemnon Schliemann, his Envoy Extraordinary and Minister Plenipotentiary to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, having agreed upon and concluded the following articles:

[1] MS. Department of State. Signed at Washington, October 13, 1914; ratification advised by the Senate, October 20, 1914.

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ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Expenses.

Appointment and vacancies.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

Facilities for investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

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The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted. Independent action reserved.

ARTICLE IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Majesty the King of the Hellenes; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it. Exchange of ratifications. Duration.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals. Signatures.

Done in Washington on the thirteenth day of October, in the year nineteen hundred and fourteen.

WILLIAM JENNINGS BRYAN. [SEAL]
AGAMEMNON SCHLIEMANN. [SEAL]

Treaty between the United States and the Netherlands for the Advancement of General Peace[1]

The President of the United States of America and Her Majesty the Queen of the Netherlands, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries: Contracting Powers.

De President der Vereenigde Staten van Amerika en Hare Majesteit de Koningin der Nederlanden, wenschende de tusschen hen bestaande vriendschapsbanden te versterken en evenzeer den algemeenen vrede te bevorderen, hebben besloten tot dat doel een verdrag te sluiten, waartoe Zy als hunne Gevolmachtigden hebben benoemd:

The President of the United States, the Honorable William Jennings Bryan, Secretary of Plenipotentiaries.

De President der Vereenigde Staten: Zyne Excellentie William Jennings Bryan, Secretaris van

[1] MS. Department of State. Signed at Washington, December 18, 1913; ratification advised by the Senate, August 13, 1914.

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State; and

Her Majesty the Queen of the Netherlands, Chevalier W. L. F. C. van Rappard, Envoy Extraordinary and Minister Plenipotentiary of the Netherlands to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, having agreed upon and concluded the following articles:

Staat; en

Hare Majesteit de Koningin der Nederlanden: Ridder W. L. F. C. van Rappard, Hoogst Derzelver Buitengewoon Gezant en Gevolmachtigd Minister by de Vereenigde Staten van Amerika;

Die, na elkander hunne wederzydsche volmachten te hebben medegedeeld, welke in goeden en behoorlyken vorm zyn bevonden, omtrent de volgende artikelen zyn overeengekomen.

ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTIKEL I

De Hooge Verdragsluitende Partyen komen overeen dat alle geschillen van welken aard ook, die tusschen hen mochten ontstaan en waarvan de beslechting niet wordt voorzien in vroeger aangegane arbitrage verdragen en overeenkomsten, of indien de bepalingen dier verdragen en overeenkomsten feitelyk niet worden toegepast, ter fine van onderzoek en verslag zullen worden onderworpen, nadat alle diplomatieke middelen ter regeling dezer geschillen gefaald hebben, aan eene Permanente Internationale Commissie, die zal worden benoemd op de wyze voorgeschreven in het volgend artikel; en zy komen overeen noch den oorlog te verklaren noch vyandelykheden te beginnen loopende dat onderzoek en totdat het verslag zal zyn ingediend.

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ARTICLE II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. The expenses of the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

ARTIKEL II

International Commission. Composition.

De Internationale Commissie zal bestaan uit vyf leden als volgt te benoemen: Eén lid zal worden gekozen door iedere Regeering uit hare eigen onderdanen; één lid zal worden gekozen door iedere Regeering uit onderdanen van een derde Mogendheid; het vyfde lid zal in gemeen overleg door beide Regeeringen gekozen worden met dien verstande, dat hy niet zal zyn onderdaan van een der beide landen.

Expenses.

De kosten aan de Commissie verbonden zullen gelykelyk door de twee Regeeringen gedragen worden.

Appointment.

De Internationale Commissie zal benoemd worden binnen zes maanden na de uitwisseling der akten van bekrachtiging van dit verdrag;

Vacancies.

opengevallen plaatsen zullen vervuld worden op de wyze voorgeschreven voor de oorspronkelyke benoeming.

ARTICLE III

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Govern-

ARTIKEL III

Duties of Commission.

Voor het geval de Hooge Verdragsluitende Partyen niet zullen geslaagd zyn een tusschen hen gerezen geschil te beslechten langs diplomatieken weg, zullen zy het onverwijld aan de Internationale Commissie onderwerpen ter fine van onderzoek en verslag. De Internationale Commissie kan echter tot dat doel uit eigen beweging

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ments and request their cooperation in the investigation.

hare diensten aanbieden, in welk geval zy beiden Regeeringen daarvan kennis zal geven, en beider medewerking tot een onderzoek zal verzoeken.

Facilities for investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

De Hooge Verdragsluitende Partyen verbinden zich der Permanente Internationale Commissie alle hulpmiddelen en faciliteiten te verschaffen benoodigd voor haar onderzoek en verslag.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Het verslag der Internationale Commissie moet gereed zyn binnen één jaar van af den dag waarop zy zal hebben verklaard, dat het onderzoek is begonnen, tenzy de Hooge Verdragsluitende Partyen dit tydsverloop met onderling goedvinden zullen wenschen te verkorten of te verlengen. Het verslag zal in drievoud opgemaakt worden; één exemplaar zal aan ieder der Regeeringen worden aangeboden, en het derde exemplaar blyven berusten in het archief der Commissie.

Independent action reserved.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

Nadat het verslag der Commissie aan de Hooge Verdragsluitende Partyen zal zyn aangeboden, behouden deze zich volledige vryheid van handelen voor in het geschil, dat het onderwerp van het onderzoek uitmaakte.

ARTICLE IV

ARTIKEL IV

Ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the

Dit verdrag zal worden bekrachtigd door den President der Vereenigde Staaten van Amerika, wat dezen laatsten betreft op ad-

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Senate thereof; and by Her Majesty the Queen of the Netherlands; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate.

vies en met goedkeuren van den Senaat, en door Hare Majesteit de Koningin der Nederlanden, en de akten van bekrachtiging zullen zoo spoedig mogelyk worden uitgewisseld. Het zal in werking treden onmiddellyk na de uitwisseling der akten van bekrachtiging en zal van kracht blyven voor een tydperk van vyf jaren; hierna zal het van kracht blyven tot twaalf maanden nadat een der Hooge Verdragsluitende Partyen aan de andere zal hebben kennis gegeven van haar voornemen het te doen eindigen.

Duration.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the eighteenth day of December, in the year of our Lord nineteen hundred and thirteen.

Ter oorkonde waarvan de wederzijdsche gevolmachtigden dit verdrag hebben geteekend en van hun zegel voorzien.

Gedaan te Washington op den achttienden dag der maand December van het jaar onzes Heeren negentien honderd en dertien.

Signatures.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] W. L. F. C. v. RAPPARD

Treaty between the United States and Nicaragua for the Advancement of General Peace[1]

The Republic of Nicaragua and the United States of America, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have re-

Los Estados Unidos de América, y la República de Nicaragua, en el deseo de fortalecer los vínculos de amistad que los unen y también avanzar la causa de la Paz general, han resuelto entrar

Contracting Powers.

[1] MS. Department of State. Signed at Washington, December 17, 1913; ratification advised by the Senate, August 13, 1914.

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solved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Plenipotentiaries.

The President of Nicaragua, Señor General Don Emiliano Chamorro, Envoy Extraordinary and Minister Plenipotentiary of Nicaragua to the United States; and

The President of the United States, the Honorable William Jennings Bryan, Secretary of State;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

en un Tratado con aquel objeto, a cuyo fin han nombrado como sus Plenipotenciarios:

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y

El Presidente de Nicaragua, al Señor General Don Emiliano Chamorro, Enviado Extraordinario y Ministro Plenipotenciario de Nicaragua en los Estados Unidos;

Quienes, después de haber comunicado sus respectivos Plenos Poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

Article I

Disputes to be submitted to International Commission for investigation and report.

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report.

Artículo I

Las Altas Partes contratantes convienen en que todas las disputas entre ellas, de cualquiera naturaleza que fueren, que la diplomacia fallare arreglar, deberán ser sometidas para su investigación e informe a una Comisión Internacional, la cual deberá ser constituída de la manera prescrita en el próximo siguiente artículo; y convienen en no declarar guerra ó empezar hostilidades durante tal investigación e informe.

Article II

International Commission. Composition.

The International Commission shall be composed of five mem-

Artículo II

La Comisión Internacional deberá componerse de cinco miem-

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bers, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

bros, que deberán ser nombrados como sigue: un miembro deberá ser escogido de cada país, por su respectivo Gobierno; un miembro deberá ser escogido por cada Gobierno, de un tercer país; el quinto miembro deberá ser escogido de común acuerdo entre los dos Gobiernos. Los gastos de la Comisión deberán ser pagados por los dos Gobiernos en igual proporción.

Expenses.

La Comisión Internacional deberá ser nombrada dentro de cuatro meses después del canje de las ratificaciones del Tratado; y las vacantes deberán ser llenadas de acuerdo con la manera del nombramiento original.

Appointment.

ARTICLE III

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall ex-

ARTÍCULO III

Duties of Commission.

En el caso que las Altas Partes contratantes hubieren fallado en arreglar una disputa por los medios diplomáticos, deberán inmediatamente referirla á la Comisión Internacional para su investigación e informe. La Comisión Internacional puede, sin embargo, actuar por su propia iniciativa, y en tal caso deberá notificar á ambos Gobiernos y solicitar su cooperación en la investigación.

Time for report.

El informe de la Comisión Internacional deberá estar completado dentro de un año después de la fecha en la cual haya declarado haber empezado su investigación, a menos que las Altas Partes con-

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tend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Independent action reserved.

The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

ARTICLE IV

Military and naval *status quo* to be preserved.

Pending the investigation and report of the International Commission, the high contracting parties agree not to increase their military or naval programs, unless danger from a third power should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

ARTICLE V

Ratifications.

The present treaty shall be ratified by the Congress of the Republic of Nicaragua; and by the President of the United States of America, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged as soon as possible. It

tratantes extendieren el tiempo por mutuo consentimiento. El informe deberá ser preparado por triplicado; una copia deberá ser presentada á cada Gobierno, y la tercera retenida por la Comisión para sus legajos.

Las Altas Partes contratantes se reservan el derecho de obrar independientemente en el asunto de la disputa después que el informe de la Comisión se les haya sometido.

ARTÍCULO IV

Durante la investigación e informe de la Comisión Internacional, las Altas Partes contratantes convienen en no aumentar su programa militar ó naval, a menos que el peligro de un tercer Poder los compela a tal aumento, en cuyo caso, la parte que se creyere amenazada deberá comunicar confidencialmente el hecho por escrito a la otra parte contratante; entonces, la última quedará exonerada de las obligaciones de mantener su statu quo militar y naval.

ARTÍCULO V

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Congreso de la República de Nicaragua; y las ratificaciones deberán ser canjeadas tan pronto

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shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

como fuere posible. Deberá entrar en vigor inmediatamente después del canje de ratificaciones, y continuará en fuerza por un período de cinco años; y deberá después permanecer en fuerza hasta doce meses después que una de las Altas Partes contratantes haya notificado a la otra la intención de terminarlo. Duration.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 17th day of December, in the year of our Lord nineteen hundred and thirteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pie sus sellos. Signatures.

Hecho en Washington, el día 17 de Diciembre, en el año de Nuestro Señor mil novecientos trece.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] EMILIANO CHAMORRO

Treaty between the United States and Panama for the Advancement of General Peace[1]

The United States of America and the Republic of Panama, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y la República de Panamá, en el deseo de fortalecer los vínculos de amistad que los unen y tambien avanzar la causa de la Páz general, han resuelto entrar en un Tratado con aquel objeto á cuyo fín han nombrado como sus Plenipotenciarios: Contracting Powers.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y Plenipotentiaries.

[1] MS. Department of State. Signed at Washington, September 20, 1913.

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The President of Panama, Señor Dr. Don Eusebio A. Morales, Envoy Extraordinary and Minister Plenipotentiary of Panama to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

El Presidente de Panamá, al Señor Dr. Don Eusebio A. Morales, Enviado Extraordinario y Ministro Plenipotenciario de Panamá en los Estados Unidos;

Quienes, despues de haber comunicado sus respectivos Plenos Poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report.

ARTÍCULO I

Las Altas Partes contratantes han convenido, que todas las disputas entre ellas, de cualquiera naturaleza que fueren, que la diplomacia fallare arreglar, deberán ser sometidas para su investigación é informe á una Comisión Internacional, la cual deberá ser constituida en la manera prescrita en el próximo siguiente artículo; y convienen en no declarar guerra ó empesar hostilidades durante tal investigación é informe.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of

Expenses.

ARTÍCULO II

La Comisión Internacional deberá componerse de cinco miembros, que deberán ser nombrados como sigue: un miembro deberá ser escogido de cada país, por su respectivo Gobierno; un miembro deberá ser escogido por cada Gobierno, de un tercer país; el quinto miembro deberá ser escogido de comun acuerdo entre los dos Gobiernos. Los gastos

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the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

de la Comisión deberán ser pagados por los dos Gobiernos en igual proporción.

Appointment.

La Comisión Internacional deberá ser nombrada dentro de cuatro meses despues del canje de las ratificaciones del Tratado; y las vacantes deberán ser llenadas de acuerdo con la manera del nombramiento original.

Article III

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

The high contracting parties reserve the right to act indepen-

Artículo III

Duties of Commission.

En el caso que las Altas Partes contratantes hubieren fallado en arreglar una disputa por los medios diplomáticos, deberán inmediatamente referirla á la Comisión Internacional para su investigación é informe. La Comisión Internacional puede, sin embargo, actuar sobre su propia iniciatíva, y en tal caso deberá notificar ambos Gobiernos y solicitar su cooperación en la investigación.

Time for report.

El informe de la Comisión Internacional deberá estar completado dentro de un año despues de la fecha en la cual haya declarado haber empesado su investigación, á menos que las Altas Partes contratantes extendieran el tiempo por mutuo consentimiento. El informe deberá ser preparado por triplicado; una copia deberá ser presentada á cada Gobierno, y la tercera retenida por la Comisión para sus legajos.

Independent action reserved.

Las Altas Partes contratantes se reservan el derecho de obrar

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dently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

independientemente en la materia-sujeta de la disputa despues que el informe de la Comisión se les haya sometido.

ARTICLE IV

ARTÍCULO IV

Maintenance of military and naval *status quo*.

Pending the investigation and report of the International Commission, the high contracting parties agree not to increase their military or naval programs, unless danger from a third power should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

Durante la investigación é informe de la Comisión Internacional, las Altas Partes contratantes convienen en no aumentar su programa militar ó naval, á menos que el peligro de un tercer Poder los compela á tal aumento, en cuyo caso, la parte que se creyere amenazada deberá comunicar confidencialmente el hecho por escrito á la otra parte contratante, por lo tanto, la última quedará exonerada de las obligaciónes de mantener su status quo militar y naval.

ARTICLE V

ARTÍCULO V

Ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Republic of Panama, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high con-

Duration.

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Presidente de la República de Panamá, con la aprobación del Congreso, y las ratificaciónes deberán ser canjeadas tan pronto como fuere posible. Deberá entrar en vigor inmediatamente despues del canje de ratificaciónes, y continuará en fuerza por un período de cinco años; y deberá despues permanecer en fuerza hasta doce meses despues que una de las

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tracting parties have given notice to the other of an intention to terminate it.

Altas Partes contratantes haya notificado á la otra la intención de terminarlo.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

En fe de lo cual, los respectívos Plenipotenciarios han firmado el presente Tratado, y han puesto al pié sus sellos. Signatures.

Done in Washington on the 20th day of September, in the year of our Lord nineteen hundred and thirteen.

Hecho en Washington, el dia 20 de Setiembre, en el año de Nuestro Señor mil novecientos trece.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] EUSEBIO A. MORALES

Treaty between the United States and Persia for the Advancement of General Peace[1]

The President of the United States of America and His Imperial Majesty the Shah of Persia, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their Plenipotentiaries: Contracting Powers.

The President of the United States, His Excellency Mr. Charles Wells Russell, Envoy Extraordinary and Minister Plenipotentiary of the United States to Persia and; Plenipotentiaries.

His Imperial Majesty the Shah of Persia, His Excellency Mirza Hassan Khan Wossough ed Dowleh Minister for Foreign Affairs; who, after having communicated to each other their respective full powers found to be in proper form, have agreed upon the following Articles:

ARTICLE I

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Disputes to be submitted to International Commission for investigation and report.

[1] MS. Department of State. Signed, February 4, 1914; ratification advised by the Senate, August 13, 1914.

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Article; and they agree not to declare war or begin hostilities during such investigation and report.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows:

One member shall be chosen from each country by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of the Commission should the occasion arise shall be paid by the two Governments in equal proportion. The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty and vacancies shall be filled acording to the manner of the original appointment.

Expenses.

Appointment.

ARTICLE III

Duties of Commission.

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report.

The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

Time for report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files. The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

Independent action reserved.

ARTICLE IV

Maintenance of military and naval *status quo*.

Pending the investigation and report of the International Commission, the high contracting parties agree not to increase their military or naval programs, unless danger from a third power should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting

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party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

ARTICLE V

Ratifications. The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Imperial Majesty the Shah of Persia, with the approval of the Majliss thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

Duration.

Signatures. In witness whereof the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Teheran on the 8th day Rabiol-Aval, 1332 (A. H.), Corresponding to the 4th day of February, 1914 (A. D.).

[SEAL] CHARLES W. RUSSELL
[SEAL] WOSSOUGH ED DOWLEH

Treaty between the United States and Salvador for the Advancement of General Peace[1]

Contracting Powers. The United States and the Republic of Salvador, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Plenipotentiaries. The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

Los Estados Unidos de América y la República de El Salvador, en el deseo de fortalecer los vínculos de amistad que los unen y también avanzar la causa de la Páz general, han resuelto entrar en un Tratado con aquel objeto á cuyo fín han nombrado como sus Plenipotenciarios:

El Presidente de los Estados Unidos, al Honorable William Jennings Bryan, Secretario de Estado, y

[1] MS. Department of State. Signed at Washington, August 7, 1913; ratification advised by the Senate, August 13, 1914.

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The President of Salvador, Señor Don Federico Mejía, Envoy Extraordinary and Minister Plenipotentiary of Salvador to the United States:

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon the following articles:

El Presidente de El Salvador, al Señor Don Federico Mejía, Enviado Extraordinario y Ministro Plenipotenciario en los Estados Unidos;

Quienes, después de haber comunicado sus respectivos Plenos Poderes, que encontraron en debida forma, han convenido en los artículos siguientes:

ARTICLE I

Disputes to be submitted to International Commission for investigation and report.

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report.

ARTÍCULO I

Las Altas Partes contratantes han convenido, que todas las disputas entre ellas, de cualquiera naturaleza que fueren, que la diplomacia fallare arreglar, deberan ser sometidas para su investigación é informe á una Comisión Internacional, la cual deberá ser constituida en la manera prescrita en el próximo siguiente artículo; y convienen en no declarar guerra ó empesar hostilidades durante tal investigación é informe.

ARTICLE II

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments. The expenses of

Expenses.

ARTÍCULO II

La Comisión Internacional deberá componerse de cinco miembros, que deberan ser nombrados como sigue: un miembro deberá ser escogido de cada país, por su respectivo Gobierno; un miembro deberá ser escogido por cada Gobierno, de un tercer país; el quinto miembro deberá ser escogido de común acuerdo entre los dos Gobiernos. Los gastos de la Comi-

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the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within four months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

sión deberan ser pagados por los dos Gobiernos en igual proporción.

La Comisión Internacional deberá ser nombrada dentro de cuatro meses después del canje de las ratificaciones del Tratado; y las vacantes deberan ser llenadas de acuerdo con la manera del nombramiento original. Appointment.

ARTICLE III

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

The report of the International Commission shall be completed within one year after date on which it shall declare its investigation to have begun, unless the high contracting parties shall extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

The high contracting parties reserve the right to act indepen-

ARTÍCULO III

En el caso que las Altas Partes contratantes hubieren fallado en arreglar una disputa por los medios diplomáticos, deberán inmediatamente referirla á la Comisión Internacional para su investigación é informe. La Comisión Internacional puede, sin embargo, actuar sobre su propia iniciativa, y en tal caso deberá notificar ambos Gobiernos y solicitar su cooperación en la investigación. Duties of Commission.

El informe de la Comisión Internacional deberá estar completado dentro de un año después de la fecha en la cual haya declarado haber empesado su investigación, á menos que las Altas Partes contratantes extendieran el tiempo por mutuo consentimiento. El informe deberá ser preparado por triplicado; una copia deberá ser presentada á cada Gobierno, y la tercera retenida por la Comisión para sus legajos. Time for report.

Las Altas Partes contratantes se reservan el derecho de obrar in- Independent action reserved.

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dently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

dependientemente en la materia-sujeta de la disputa después que el informe de la Comisión se les haya sometido.

ARTICLE IV

Maintenance of military and naval *status quo*.

Pending the investigation and report of the International Commission, the high contracting parties agree not to increase their military or naval programs, unless danger from a third power shall compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval *status quo*.

ARTÍCULO IV

Durante la investigación é informe de la Comisión Internacional, las Altas Partes contratantes convienen en no aumentar su programa militar ó naval, á menos que el peligro de un tercer Poder los compela á tal aumento, en cuyo caso, la parte que se creyere amenazada deberá comunicar confidencialmente el hecho por escrito á la otra parte contratante, por lo tanto, la última quedará exonerada de las obligaciones de mantener su status quo militar y naval.

ARTICLE V

Ratifications.

The present treaty shall be ratified by the President of the United States of America, by and with the advice of the Senate thereof; and by the President of the Republic of Salvador, with the approval of the Congress thereof; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have

Duration.

ARTÍCULO V

El presente Tratado será ratificado por el Presidente de los Estados Unidos de América, de acuerdo y con el consentimiento del Senado respectivo, y por el Presidente de la República de El Salvador, con la aprobación del Congreso, y las ratificaciones deberán ser canjeadas tan pronto como fuere posible. Deberá entrar en vigor inmediatamente después del canje de ratificaciones, y continuará en fuerza por un período de cinco años; y deberá después permanecer en fuerza hasta doce meses después que una de las

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given notice to the other of an intention to terminate it.

Altas Partes contratantes haya notificado á la otra la intención de terminarlo.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the seventh day of August, in the year of our Lord nineteen hundred and thirteen.

En fe de lo cual, los respectivos Plenipotenciarios han firmado el presente Tratado, y han puesto al pie sus sellos. Signatures.

Hecho en Washington, el día siete de Agosto, en el año de Nuestro Señor mil novecientos trece.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] F. MEJÍA

In Executive Session, Senate of the United States

August 13, 1914.

(Legislative Day of August 11, 1914)

Resolved (Two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty between the United States and Salvador (Ex. K, 63d Cong., 2d Sess.), looking to the advancement of the Cause of General Peace, signed at Washington, August 7, 1913, with the following amendments:

1. In line 3 of Article I, after the word "whatsoever" and before the word "which" insert the following: *to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, and,* so that as amended the article will read:

"The High Contracting Parties agree that all disputes between them of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, and which diplomacy shall fail to adjust, shall be submitted for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding Article; and they agree not to declare war or begin hostilities during such investigation and report."

2. Strike out Article IV.

3. Change the title of the next article so as to make it read "Article IV" instead of "Article V." Attest: JAMES M. BAKER,
Secretary.

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Treaty between the United States and Switzerland for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of America and the Swiss Federal Council, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

Der Präsident der Vereinigten Staaten von Amerika und der Schweizerische Bundesrat, in der Absicht, die Bande der Freundschaft, die sie verbinden, enger zu knüpfen und die Sache des allgemeinen Friedens zu förden, haben beschlossen einen bezüglichen Vertrag abzuschliessen und haben zu diesem Zecke zu ihren Bevollmächtigten ernannt:

Plenipotentiaries.

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

The Swiss Federal Council, Dr. Paul Ritter, Envoy Extraordinary and Minister Plenipotentiary of Switzerland to the United States;

Der Präsident der Vereinigten Staaten: Honorable William Jennings Bryan, Staatssekretär; und

Der Schweizerische Bundesrat: Dr. Paul Ritter, Ausserordentlicher Gesandter und Bevollmächtigter Minister der Schweiz bei den Vereinigten Staaten;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

Welche, nach gegenseitiger Auswechslung ihrer in guter und richtiger Form befundenen Vollmachten, folgende Artikel unter sich vereinbart und abgeschlossen haben:

Article I

Artikel I

Disputes to be submitted to an International Commission for investigation and report.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, which can not be adjusted through diplomatic methods, or are not submitted to arbitration, shall be

Die Hohen Vertragschliessenden Parteien kommen überein, dass alle zwischen ihnen auftauchenden Streitigkeiten, welcher Natur sie auch sein mögen, welche auf diplomatischem Wege nicht

[1] MS. Department of State. Signed at Washington, February 13, 1914; ratification advised by the Senate, August 13, 1914.

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referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

geschlichtet werden können oder welche nicht einem Schiedsgerichte unterbreitet werden, zur Untersuchung und zum Berichte einer, gemäss den Bestimmungen des nachfolgenden Artikels zu konstituierenden Kommission unterbreitet werden sollen; und sie kommen überein, während der Untersuchung und vor erfolgter Berichterstattung weder Krieg zu erklären noch die Feindseligkeiten zu eröffnen.

ARTICLE II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. Each of the High Contracting Parties shall have the right to remove, at any time before investigation begins, any Commissioner selected by it and to name his successor, and under the same conditions shall also have the right to withdraw its approval of the fifth Commissioner selected jointly; in which case a new Commissioner shall be selected jointly as in the original

ARTIKEL II

International Commission. Composition.

Die internationale Kommission soll aus fünf, wie folgt zu bestimmenden Mitgliedern zusammengesetzt sein: ein Mitglied wird von jedem Lande durch die betreffende Regierung gewählt; ein Mitglied wird von jeder Regierung aus einem dritten Staate ernannt; das fünfte Mitglied wird durch gemeinsames Uebereinkommen der beiden Regierungen bezeichnet, in der Annahme jedoch, dass es nicht Bürger eines der beiden Länder sei. Jede der Hohen Vertragschliessenden Parteien soll das Recht haben, irgend einen von ihr gewählten Kommissär, jederzeit vor Beginn der Untersuchung, abzuberufen und seinen Nachfolger zu ernennen, und soll unter denselben Bedingungen das Recht haben, ihre Anerkennung des gemeinsam ernannten fünften

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Compensation.

selection. The Commissioners shall, when actually employed in the investigation of a dispute, receive such compensation as shall be agreed upon by the High Contracting Parties. The expenses of the Commission shall be paid by the two Governments in equal proportion.

Expenses.

Appointment.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

ARTICLE III

Duties of Commission.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, or through an arbitration, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

The High Contracting Parties agree that in such a case they will

Kommissärs zurückzuziehen; in diesem Falle soll ein neuer Kommissär nach der Art der ursprünglichen Wahl gemeinsam ernannt werden. Die Kommissäre sollen während der tatsächlichen Inanspruchnahme durch die Untersuchung eines Streitfalles eine Entschädigung erhalten, wie sie von den Hohen Vertragschliessenden Parteien vereinbart worden ist. Die Kosten der Kommission sind von den beiden Regierungen zu gleichen Teilen zu tragen.

Die internationale Kommission soll innert sechs Monaten nach Austausch der Ratifikationsurkunden dieses Vertrages ernannt werden; Vakanzen sind nach der Art der ursprünglichen Wahl auszufüllen.

ARTIKEL III

Für den Fall, dass die Hohen Vertragschliessenden Parteien einen Streitfall auf diplomatischem Wege oder durch ein Schiedsgericht nicht werden beilegen können, so werden sie denselben sofort der internationalen Kommission zur Untersuchung und zum Bericht unterbreiten. Die internationale Kommission kann immerhin auf ihre eigene Initiative zu diesem Zwecke ihre Dienste anbieten, und soll in solchen Fällen die beiden Regierungen benachrichtigen und deren

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support the efforts of the Commission in every direction.

Mitarbeit bei der Untersuchung nachsuchen; die Hohen Vertragschliessenden Parteien kommen überein, dass sie in diesem Falle die Bemühungen der Kommission in jeder Richtung unterstützen werden.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

Time for report.

Der Bericht der internationalen Kommission ist innert Jahresfrist nach dem Datum, an welchem diese erklären wird, die Untersuchung begonnen zu haben, abzugeben, es sei denn, die Hohen Vertragschliessenden Parteien verkürzen oder dehnen diese Frist durch gegenseitiges Einverständnis weiter aus. Der Bericht soll in drei Exemplaren abgegeben werden; eine Abschrift wird jeder Regierung vorgelegt und die dritte bei den Akten der Kommission zurückbehalten werden.

The High Contracting Parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

Independent action reserved.

Die Hohen Vertragschliessenden Parteien behalten sich das Recht vor, nachdem der Bericht der Kommission abgegeben sein wird, in der Hauptstreitsache unabhängig zu handeln.

Article IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the Swiss Federal Council in accordance with the provisions of the Swiss Constitution and the Swiss laws; and the ratifications shall be ex-

Artikel IV

Ratifications.

Der gegenwärtige Vertrag wird vom Präsidenten der Vereinigten Staaten von Amerika nach Bericht und mit der Zustimmung des Senates, und vom schweizerischen Bundesrat gemäss den Bestimmungen der schweizerischen Bundesverfassung und der schweizerischen Gesetze, ratifiziert

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changed as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

werden; und die Ratifikationsurkunden sollen so bald als möglich ausgewechselt werden. Er tritt unmittelbar nach dem Austausch der Ratifikationsurkunden in Kraft und soll für eine Dauer von fünf Jahren in Kraft bleiben; und er soll alsdann noch bis zwölf Monate, nachdem eine der Hohen Vertragschliessenden Parteien der andern von der Absicht, ihn ablaufen zu lassen, Mitteilung gemacht hat in Kraft bleiben.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the 13th day of February, in the year of our Lord nineteen hundred and fourteen.

Als Urkund dessen haben die beidseitigen Bevollmächtigten den vorliegenden Vertrag unterzeichnet und ihre Siegel beigesetzt.

Also gegeben in Washington den 13 Februar im Jahre des Herrn neunzehnhundert und vierzehn.

[SEAL] WILLIAM JENNINGS BRYAN
[SEAL] P. RITTER

Treaty between the United States and Venezuela for the Advancement of General Peace[1]

Contracting Powers.

The President of the United States of Venezuela and the President of the United States of America, being desirous to strengthen the bonds of amity that bind Venezuela and the United States together and also to advance the cause of general peace, have resolved to enter into

El Presidente de los Estados Unidos de Venezuela y el Presidente de los Estados Unidos de América, en el deseo de estrechar los lazos de amistad que unen a Venezuela y a los Estados Unidos, y con el propósito de laborar por la causa de la paz general, han resuelto celebrar un tratado que

[1] MS. Department of State. Signed at Caracas, March 21, 1914; ratification advised by the Senate, August 13, 1914.

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a treaty for that purpose and to that end have appointed as their plenipotentiaries:

The President of the United States of Venezuela, Señor Doctor Manuel Diaz Rodriguez, Minister for Foreign Relations; and the President of the United States of America, Mr. Preston McGoodwin, Envoy Extraordinary and Minister Plenipotentiary of said Nation to Venezuela;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I

The high contracting parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to a Permanent International Commission, to be constituted in the manner prescribed in Article II; and they agree, if the case arises, not to declare war nor to begin hostilities during such investigation and before the report has been considered.

ARTICLE II

The International Commission shall be composed of five mem-

tienda especialmente a esos fines, y para ello ha nombrado como sus plenipotenciarios:

Plenipotentiaries.

El Presidente de los Estados Unidos de Venezuela al Señor Doctor Manuel Díaz Rodriguez, Ministro de Relaciones Exteriores; y el Presidente de los Estados Unidos de America al Señor Preston McGoodwin, Enviado Extraordinario y Ministro Plenipotenciario de dicha Nación en Venezuela.

Quienes, después de haberse comunicado sus respectivos plenos poderes y de hallarlos en debida forma, han convenido en los siguientes artículos:

ARTÍCULO I

Disputes to be submitted to an International Commission for investigation and report.

Las altas partes contratantes convienen en que todas las diferencias surgidas entre ellas, de cualquier naturaleza que sean, y que no se hayan podido arreglar por los medios diplomáticos, serán sometidas, para su investigación é informe, a una Comisión Internacional Permanente, que se constituirá de la manera prescrita en el artículo II; y convienen, si llegare el caso, en no declararse la guerra ni comenzar hostilidades mientras dure la investigación y no haya sido considerado el informe.

ARTÍCULO II

International Commission. Composition.

La Comisión Internacional se compondrá de cinco miembros que

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bers, to be appointed as follows: one member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, who can also submit his election to the four arbitrators already appointed; it being understood that he shall not be a citizen of either of the two countries. The expenses shall be paid by the two Governments in equal proportion.

Expenses.

Appointment.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and the vacancies shall be filled according to the manner of the original appointment.

se nombrarán como sigue: cada uno de los Gobiernos escogerá de entre sus nacionales un miembro; otro se elegirá de un tercer país por cada Gobierno, y el quinto será elegido de común acuerdo entre los dos Gobiernos, quienes pueden también someter su elección a los cuatro árbitros ya nombrados; teniéndose entendido que no ha de ser ciudadano de ninguno de los dos países. Los gastos de la Comisión serán sufragados por partes iguales entre los dos Gobiernos.

La Comisión Internacional será nombrada dentro de seis meses después del canje de las ratificaciones de este tratado; y las faltas serán suplidas siguiendo el procedimiento adoptado para el nombramiento original.

ARTICLE III

Duties of Commission.

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission, may, however, before taking diplomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

ARTÍCULO III

En caso de que las altas partes contratantes no puedan llegar al arreglo de una controversia por la vía diplomática, habrán de someterla inmediatamente a la Comisión Internacional para su investigación e informe. La Comisión Internacional puede, sin embargo, antes de que se inicien los tratos diplomáticos o en el curso de ellos, ofrecer espontáneamente sus servicios al efecto, y en tal caso lo notificará a ambos Gobiernos, excitándoles a que cooperen a la investigación.

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The high contracting parties agree to afford to the Permanent International Commission all the means and facilities required for its investigation and report. .

Las altas partes contratantes convienen en proporcionar a la Comisión Internacional Permanente todos los medios y facilidades requeridos para su investigación e informe. Facilities for investigation.

In each instance, the report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

En cada caso, el informe de la Comisión Internacional será concluido dentro de un año después de la fecha en que se hubiere ordenado el comienzo de su investigación, a menos que las altas partes contratantes limiten o prolonguen el lapso de mutuo acuerdo. El informe se hará por triplicado; una copia se presentará a cada uno de los Gobiernos, y la tercera se conservará en los archivos de la Comisión. Time for report.

The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

Las altas partes contratantes se reservan el derecho de obrar independientemente acerca del asunto de la controversia, después de haberles sido sometido el informe de la Comisión.

Article IV

The present treaty shall be ratified by the President of the United States of Venezuela, with the approval of the Congress and by the President of the United States of America, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged as soon as possible.

It shall take effect immediately after the exchange of ratifications,

Artículo IV

El presente tratado será ratificado por el Presidente de los Estados Unidos de Venezuela, con la aprobación del Congreso; y por el Presidente de los Estados Unidos de América, por y con el voto y consentimiento del Senado de dicho país; y las ratificaciones serán canjeadas tan pronto como sea posible. Entrará en vigencia inmediatamente después del canje de las ratificaciones, y continuará Ratifications.

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and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

Signatures.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Caracas on the twenty-first day of March in the year nineteen hundred and fourteen.

[SEAL] PRESTON MCGOODWIN
[SEAL] MANUEL DÍAZ RODRIGUEZ

estándolo por un período de cinco años; y quedará luego en vigencia hasta después de doce meses en que una de las altas partes contratantes haya dado aviso a la otra de su intención de darle término.

En prueba de lo cual los respectivos plenipotenciarios han firmado el presente tratado y lo han sellado con sus sellos.

Hecho en Caracas el día veinte y uno de Marzo del año mil novecientos catorce.

PROTOCOL

Supplemental to the Treaty of Peace Between the United States and Venezuela

Purpose of protocol to remove uncertainty regarding interpretation of Article II of treaty of peace.

The Government of the United States of America and the Government of the United States of Venezuela, desirous of removing any doubt or uncertainty that may exist or that may hereafter arise as to the interpretation to be placed upon the second clause of Article II of the Treaty of March 21, 1914, between the United States and Venezuela, looking to the advancement of the general cause of peace, which clause reads as follows:

"The International Commission may, however, before taking dip-

El Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos de Venezuela, deseosos de resolver cualquiera duda o incertidumbre que exista o pueda surgir respecto al alcance de la cláusula segunda del Artículo III del Tratado del 21 de marzo de 1914 concluido entre los Estados Unidos y Venezuela y encaminado al fomento de la causa general de la paz; cláusula cuyo tenor es como sigue:

"La Comisión Internacional puede, sin embargo antes de que

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lomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation."

have authorized the undersigned Plenipotentiaries to declare as follows:

It is the understanding of the two Governments that the said clause does not confer upon the Commission the right to act upon its own initiative before diplomatic means of adjustment have been exhausted, but that it shall be understood as meaning that, should the Commission spontaneously offer its services, it shall not proceed to undertake its investigation and report in the matter which is the subject of disagreement between the two Governments, until after they shall have exhausted diplomatic means of adjustment.

In witness whereof, the undersigned Plenipotentiaries have signed their names and affixed their seals to this Protocol, at the city of Caracas, this twenty-seventh day of February, in the year 1915.

se inicien los tratos diplomáticos o en el curso de ellos, ofrecer espontaneamente sus servicios al efecto, y en tal caso lo notificará a ambos Gobiernos, excitándolos a que cooperen a la investigación:" han autorizado a los infrascritos Plenipotenciarios para hacer la siguiente declaración:

Understanding of the Governments.

Los dos Gobiernos declaran que la cláusula trascrita no confiere a la Comisión el derecho de obrar de propia iniciativa antes de haberse agotado los medios diplomáticos de arreglo, sino que ha de entenderse que si la Comisión ofreciere espontaneamente sus servicios, no podrá proceder a practicar su investigación y hacer informe en el asunto que motiva el desacuerdo de los dos Gobiernos sino después que estos hayan agotado los medios diplomáticos de arreglo.

Signatures.

En testimonio de lo cual los infrascritos Plenipotenciarios autorizan con sus firmas y sellos el presente Protocolo, en Caracas, a los veinte y siete días del mes de Febrero de mil novecientos quince.

[SEAL] PRESTON MCGOODWIN
[SEAL] IGN. ANDRADE

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TABLE SHOWING THE STATUS OF TREATIES FOR THE ADVANCEMENT OF PEACE, WITH REFERENCE TO EVERY NATION

Nations invited to negotiate treaties[1]	Accepted in principle	Treaty signed	Ratification advised by Senate	Ratifications exchanged
Argentine Republic..	Accepted	July 24, 1914	August 13, 1914	.....
Austria-Hungary ...	"	.....	.....	.....
Belgium	"	.....	.....	.....
Bolivia	"	January 22, 1914	August 13, 1914	January 8, 1915
Brazil	"	July 24, 1914	August 13, 1914	October 28, 1916
Chile	"	July 24, 1914	August 20, 1914	January 19, 1916
China	"	September 15, 1914	October 12, 1914	October 22, 1915
Colombia	.....	.....	.....	.....
Costa Rica.....	Accepted	February 13, 1914	August 13, 1914	November 12, 1914
Cuba	"	.....	.....	.....
Denmark	"	April 17, 1914	September 30, 1914	January 19, 1915
Dominican Republic..	"	February 17, 1914	.....	.....
Ecuador	"	October 13, 1914	October 20, 1914	January 22, 1916
France	"	September 15, 1914	September 25, 1914	January 22, 1915
Germany	"	.....	.....	.....
Great Britain.....	"	September 15, 1914	September 25, 1914	November 10, 1914
Greece	"	October 13, 1914	October 20, 1914	.....
Guatemala	"	September 20, 1913	August 13, 1914	October 13, 1914
Haiti	"	.....	.....	.....
Honduras	"	November 3, 1913	August 13, 1914	July 27, 1916
Italy	"	May 5, 1914	August 13, 1914	March 19, 1915
Japan		.....	.....	.....
Mexico	.....	.....	.....	.....
Netherlands	Accepted	December 18, 1913	August 13, 1914	.....
Nicaragua	"	December 17, 1913	August 13, 1914	.....
Norway	"	June 24, 1914	August 13, 1914	October 21, 1914
Panama	"	September 20, 1913	.....	.....
Paraguay	"	August 29, 1914	October 22, 1914	March 9, 1915
Persia	"	February 4, 1914	August 13, 1914	.....
Peru	"	July 14, 1914	August 20, 1914	March 4, 1915
Portugal	"	February 4, 1914	August 13, 1914	October 24, 1914
Russia	"	October 1, 1914	October 13, 1914	March 22, 1915
Salvador	"	August 7, 1913	August 13, 1914	.....
Siam	.....	.....	.....	.....
Spain	Accepted	September 15, 1914	September 25, 1914	December 21, 1914
Sweden	"	October 13, 1914	October 22, 1914	January 11, 1915
Switzerland	"	February 13, 1914	August 13, 1914	.....
Turkey	.....	.....	.....	.....
Uruguay	Accepted	July 20, 1914	August 13, 1914	February 24, 1915
Venezuela	"	March 21, 1914	August 13, 1914	.....

[1] The invitation was issued only to countries which had diplomatic representation in Washington in April, 1913. Bulgaria, Luxemburg, Montenegro, Roumania and Serbia, not having such representation, did not receive an invitation. See Introduction, p. xxxiii.

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APPENDIX

Tratado entre la República de Chile, Argentina y los Estados Unidos del Brasil para Facilitar la Solución Pacífica de las Controversias Internacionales.[1]

Los Gobiernos de las Repúblicas de Chile, Argentina y Estados Unidos del Brasil, en el deseo de afirmar en esta oportunidad la inteligencia cordial que la comunidad de ideales é intereses ha creado entre sus respectivos países y de consolidar las relaciones de estrecha amistad que los vinculan, conjurando la posibilidad de conflictos violentos en el porvenir; consecuentes con los designios de concordia y de paz que inspiran su política internacional y con el firme propósito de cooperar a que cada día se haga más sólida la confraternidad de las Repúblicas americanas; teniendo presente que los Tratados vigentes de Arbitraje entre Chile y el Brasil, de 18 de mayo de 1899, entre la República Argentina y Chile de 28 de mayo de 1902, y entre la República Argentina y el Brasil, de 7 de septiembre de 1905, que consagraron al arbitraje como el único medio de solucionar todas las controversias de cualquier naturaleza que

Treaty between the Republic of Chile, Argentine, and the United States of Brazil to facilitate the Peaceful Solution of International Controversies.[2]

The Governments of the Republics of Chile, Argentine and the United States of Brazil, desiring to strengthen, on this occasion, the cordial understanding which the community of ideals and interests has created between their respective countries and to cement the relations of close friendship which bind them together, averting the possibility of violent conflicts in the future; consistent with the designs for harmony and peace which inspire their international politics and in the firm determination to cooperate in order to strengthen more and more the brotherhood of the American republics; taking into consideration that the existing treaties of arbitration between Chile and Brazil, signed on May 18, 1899, between the Argentine Republic and Chile, signed on May 28, 1902, and between the Republic of Argentine and Brazil, signed on September 7, 1905, which placed arbitration as the

[1] MS. Department of State, Washington, D. C.
[2] Translation.

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surgieren entre ellos, exceptuaron de este recurso, el primero de los referidos tratados, aquellas cuestiones que no puedan ser formuladas jurídicamente, y los dos últimos las que afectan a los preceptos constitucionales de los países contratantes: han resuelto adoptar ahora una norma de procedimiento que facilite la solución amistosa de las cuestiones que quedaron excluídas del arbitraje en virtud de dichos pactos y para este fin han convenido en celebrar un Tratado especial nombrando al efecto los siguientes Plenipotenciarios:

El Presidente de la República de Chile al señor Doctor Don Alejandro Lira, Ministro Secretario de Estado en el Departamento de Relaciones Exteriores. El Presidente de la República Argentina al señor Doctor José Luís Murature, Ministro Secretario de Estado en el Departamento de Relaciones Exteriores y Culto. El Presidente de la República de los Estados Unidos del Brasil al señor General Doctor Don Lauro Müller, Ministro de Estado de Relaciones Exteriores. Los cuales, después de haberse comunicado sus Plenos Poderes que hallaron en buena y debida forma han convenido lo siguiente:

only means of solving all difficulties of whatever nature, that might arise between them, excluded from arbitration, the first of the treaties in reference, those questions which can not be legally treated, and the last two, those questions affecting the constitutional law of the contracting countries: they then have resolved to adopt rules of procedure to facilitate the friendly solution of the questions which were excluded from arbitration by virtue of said agreements, and to this end have agreed to conclude a special treaty naming for this purpose the following plenipotentiaries:

The President of the Republic of Chile, Doctor Alejandro Lira, Secretary of State in the Department for Foreign Affairs. The President of the Argentine Republic, Doctor José Luis Murature, Secretary of State in the Department for Foreign Affairs. The President of the Republic of the United States of Brazil, (General) Doctor Lauro Müller, Minister of State for Foreign Affairs. Who, after having communicated their full Powers which were found in good and due form have agreed upon the following:

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ARTÍCULO I

Las controversias que por cualquiera cuestión originada en lo futuro surgieren entre las tres partes Contratantes o entre dos de ellas y que no hubieren podido ser resueltas por la vía diplomática ni sometidas a arbitraje de acuerdo con los Tratados existentes o con los que ulteriormente se ajustaren, serán sometidas a la investigación é informe de una Comisión Permanente constituída en la forma que establece el Artículo III. Las Altas Partes Contratantes se obligan a no practicar actos hostiles hasta después de haberse producido el informe de la Comisión que establece el presente Tratado o transcurrido el plazo de un año a que se refiere el Artículo V.

ARTICLE 1

Controversies which may arise among the three Contracting Parties, or between two of them, on any subject whatever originating in the future and which can not be adjusted by diplomacy, or submitted to arbitration in conformity with existing or future treaties, shall be submitted for investigation and report to a Permanent Commission organized in the manner established by Article 3. The High Contracting Parties engage not to commit hostile acts before the report of the Commission established by the present treaty, or until the expiration of the period of one year mentioned in Article 5.

ARTÍCULO II

Es entendido que lo estipulado en el artículo precedente no restringe en nada, ni los compromisos establecidos en los Tratados de arbitraje, actuales o futuros, entre las Altas Partes Contratantes, ni la obligación de cumplir los fallos arbitrales en las cuestiones que según esos Tratados hayan sido o fueren resueltas por arbitraje.

ARTICLE 2

It is understood that the stipulations of the preceding article do not restrict in any way, either the bonds established in existing or future arbitration treaties, between the High Contracting Parties, nor the obligation to comply with the arbitral decisions on the questions which, in accordance with those treaties, have been or may be decided by arbitration.

ARTÍCULO III

Para constituir la Comisión Permanente a que se refiere el Artículo I, cada una de las Altas

ARTICLE 3

In order to constitute the Permanent Commission referred to in Article 1, each of the High Con-

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Partes Contratantes designará un Delegado, dentro de los tres meses después de canjeadas las ratificaciones del presente Tratado. Cada Gobierno podrá revocar el nombramiento de su propio Delegado en cualquier momento antes de iniciada la investigación, debiendo sin embargo, designar el reemplazante en el mismo acto en que se produzca la revocación. La vacante que ocurriere por otras causas será llenada por el Gobierno respectivo y no suspenderá los efectos de las disposiciones establecidas por este Tratado.

tracting Parties shall appoint a delegate within three months after the exchange of ratifications of the present treaty. Each Government may revoke the appointment of its own delegate at any time before the beginning of the investigation, but shall, however, designate the successor in the same act of revocation. Vacancy due to other causes shall be filled by the respective Government, and the provisions of the present treaty shall not be suspended thereby.

ARTÍCULO IV

Las controversias a que se refiere el Artículo I serán referidas para su investigación é informe a la Comisión inmediatamente después que las negociaciones diplomáticas hayan fracasado para solucionarlas. Cualquiera de los Gobiernos interesados en la controversia podrá hacer la convocatoria respectiva para cuyo efecto bastará comunicar oficialmente esta decisión a los otros dos Gobiernos.

ARTICLE 4

The controversies mentioned in Article 1 shall be submitted for investigation and report to the commission immediately after the breakdown of the diplomatic negotiations for their solution. Each of the Governments interested in the controversy can convoke the Commission. In order that the convocation may produce its effect, it is sufficient to communicate it to the two other Governments.

ARTÍCULO V

La Comisión Permanente se constituirá en la ciudad de Montevideo dentro de los tres meses después de haber sido convocada y determinará las reglas de procedimiento a que deba ajustarse en el cumplimiento de su misión.

ARTICLE 5

The Permanent Commission shall be constituted in the city of Montevideo within three months of its convocation, and it shall determine the rules of procedure necessary for the accomplishment of its mission. If for any reason

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Aun cuando por cualquiera causa dicha Comisión no pudiera reunirse, una vez transcurridos los tres meses se la considerará constituída para el efecto de los plazos que establece el presente Artículo. Las Altas Partes Contratantes suministrarán los antecedentes é informaciones necesarias para la investigación. La Comisión deberá presentar su informe antes de un año a contar desde la fecha de su constitución. Si no hubiere podido completarse la investigación ni redactarse el informe dentro del término fijado podrá ampliarse por seis meses o más el plazo establecido, siempre que estuvieran de acuerdo a este respecto las Altas Partes Contratantes.

the Commission can not meet, it shall, at the expiration of the three months, be considered as constituted for the purposes of the periods established in the present article. The High Contracting Parties shall submit the antecedents and the information necessary for the investigation. The Commission must present its report before the expiration of a year from the date of its constitution. If it can not complete its investigation nor prepare its report within the period fixed, it may extend the period for six months or longer, with the consent of the High Contracting Parties.

ARTÍCULO VI

Sometido el informe a los respectivos Gobiernos o no habiéndose éste producido dentro de los términos estipulados, las Altas Partes Contratantes recuperarán toda su libertad de acción para proceder como crean conveniente a sus intereses en el asunto de la investigación.

ARTICLE 6

Once the report has been submitted to the respective Governments or, in case the same has not been rendered within the time specified, the High Contracting Parties shall regain full liberty of action to proceed as they think best for their interest in the matter under investigation.

ARTÍCULO VII

El presente Tratado será ratificado y las ratificaciones canjeadas en Río de Janeiro tan pronto como sea posible. Estará en vigor hasta un año después de haber

ARTICLE 7

The present treaty shall be ratified and the ratifications exchanged in Rio de Janeiro as soon as possible. It shall remain in force until one year after it has

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sido denunciada por cualquiera de las Altas Partes Contratantes.

En fé de lo cual, los Plenipotenciarios arriba nombrados, firmamos el presente instrumento en tres ejemplares, cada uno en las lenguas castellana y portuguesa, sellándolos con nuestros sellos.

Hecho en la ciudad de Buenos Aires a los veinticinco días del mes de mayo del año mil novecientos quince.

ALEJANDRO LIRA.
(Hay un sello)
JOSÉ LUÍS MURATURE.
(Hay un sello)
LAURO MÜLLER.
(Hay un sello)

been denounced by any one of the High Contracting Parties.

In testimony whereof, we, the above-named plenipotentiaries, sign the present document in triplicate, each one in the Spanish and Portuguese languages, stamping them with our seals, in the city of Buenos Aires on this twenty-fifth day of the month of May in the year nineteen hundred and fifteen.

ALEJANDRO LIRA. [Seal]
JOSÉ LUIS MURATURE. [Seal]
LAURO MULLER. [Seal]

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